NDSU Faculty Senate

14 September 2015

Prairie Rose, Memorial Union

Agenda

I. Call to Order

II. Approval of 11 May 2015 minutes

III. Consent agenda
   a. Approval of the Spring 2015 graduates (attachment 1)
   b. Approval of the Summer 2015 graduates (attachment 2)
   c. Policy changes (attachment 3) (All housekeeping changes)
      - Policy 154.1 Sale or Distribution of Racially and Sexually Offensive Material
      - Policy 168 Reasonable Accommodation on the Basis of Disability
      - Policy 348 – Instruction in the Responsible Conduct of Research
      - Policy 350.3 Board Regulations on Nonrenewal, Termination or Dismissal of Faculty
      - Policy 708 Campus Maintenance and Service Requests
      - Policy 803 Restricted Gifts vs. Grant Policy
      - Policy 817 Cost Corrections

   Any Senator can request that an item on the consent agenda be placed on the regular agenda

IV. Announcements

   a. Dean Bresciani, President
   b. Beth Ingram, Provost
   c. Dennis Cooley, Faculty Senate President
   d. Katie Gordon, Faculty Senate President-Elect
   e. Gennifer Sprecher, Staff Senate President
   f. Eric McDaniel, Student Government President

V. Senate Committee Reports

VI. Unfinished Business (discussion and vote)
   a. CULE model (attachment 4)
      - Presentation by Carrie Anne Platt
      - Presentation by D. Cooley
   b. Gen Ed Proficiency Statement (attachment 5, Larry Peterson)

VII. New Business

a. L. Peterson – Accreditation

NDSU will have its accreditation visit on Monday, October 19 and Tuesday, October 20. I'd like to make a very brief ("heads up") announcement at the September 14 Senate meeting. I hope we will have a fairly firm schedule by October 12 so I could tell Senators about meetings they could/should attend. There will almost certainly be an open meeting for faculty and there will almost certainly be sessions on each of the five Criterion for Accreditation. Criterion Five includes governance structures and processes so that one is particularly relevant to Faculty Senators.

b. What are our priorities this year?
    - Personnel Training requirements
        - Committee with administrators, staff, and faculty.
    - FSEC and FS orientation
        - The document create by Mark Strand was distributed. Do we need more than that?
    - Creating a system to monitor initiatives that affect faculty prerogative
    - Faculty listserv restrictions.
        - A new listserv is being created. The original will be mandatory and carry only those messages significantly important to the university's functioning or faculty members' job performance
        - The second will be an opt-out that will carry all other messages.
    - Modifying by-laws
        - Birgit Pruess heading an ad hoc committee to present no later than at the March 2016 meeting.
    - The Nice policy
        - Replace language with requirement to behave according to the ethical standards of one's profession or the NDSU code of student behavior.
    - Anti-bullying policy
        - This is moving through the system
    - Policy and Procedure Review Committee
        - Separate policy from procedure,
        - Update policies
        - Create policy where it is missing, e.g. Process on sexual misconduct complaints for faculty
        - Work with various units to have them create the policy and procedure, and then make it consistent.
    - Policy on domestic partnership benefits
        - Greta Gramig
    - Anything else?

VIII. Adjourn

NORTH DAKOTA STATE UNIVERSITY
Spring 2015 Graduates
Degree Conferral Date: May 15, 2015

College of Agriculture, Food Systems, and Natural Resources

Bachelor of Science

Taylor Richard Aaland
Kyle Austin Abrahamson
Angela Marie Adsero
Ju Yeon Ahn
Phillip M. Aipperspach
Clay Joseph Altepeter
Isaac John Anderson
Matthew James Anderson
Phyo Thin Aung
Ajak Akech Ayual
Kenneth Allan Bahm
Justin Daniel Bartholomay
Miranda Rose Billman
Bradley E. Bischof
Corey John Bjoralt
Jacob Emmanuel Blotter
Ross Lee Bolek
Michael Tyler Borders
Sara Beth Bowman
John Steven Breker
Joseph Michael Bresnahan
Scott Edward Bridgland
Elizabeth Grace Burdolski
Daniel Steven Carlson
Sarah Lynnette Cassel
Jacob Scott Caughey
Intiaz Amin Chowdhury
Thomas John Claussen
Miranda Ann Clemens
Connor Thomas Cook
Sara Marie Cushing
Daniel Benjamin Deck
Dalton James Dionne
Samantha Jean Dirk
Rhiannon Renee Dockter
Thai Quang Dong
Kendra Eleyse Dowdle
Kaitlyn Kristi Ebel
Noah James Gerard Engels
Justin Edward Erickson
Nathaniel Paul Erickson
Reed Buhr Erickson
John David Evenocheck
Kelsey Marie Fagerland
Wyatt Andrew Feltman
Alec Josef Foertsch
Diana L. Fontaine
Alex Jonathon Fornshell
Samantha Jo Foss
Taylor John Friesz
Courtney Louise Frojd
Austin Joseph Fuchs
Jonathan Christopher Fuller
Paige Makenzie Gardas Anderson
Douglas Robert Garry
Nikela A. Gathje
Bailey Ann Gibbs
Aaron Thomas Giese
Jonathan C. Gladis
Lauren Olivia Goetze
Collin Alan Goldsmith
Krista R. Gross
Stephen Matthew Guler
Ginger Lee Gullickson
Abbigael Partridge Gutierrez
Seth Michael Haas
Benjamin Lawrence Hageman
Maria Clare Hager
Carly Jo Cathryn Haiby
Ian Patrick Hall
Jill Ann Hallin
Jona Marie Hamson
Tyler D. Hausladen
Nathan Lee Hazard
Kelsey Teal Heiberg
Ellyn Christine Hexum
Brett Michael Hillestad
Shane Daniel Hinnenkamp
Alexandra Marie Hitt
Dylan James Holmer
Caitlin Mary Holmes
Kathy Judy Hommerding
David Andrew Hunt
Katelyn N. Huttunen
Tristan Albert Huwe
Charles Douglas Jacobs
Justin Wayne Jacobs
Mariah Leigh Jacobs
Stacy Ann Jangula
Sara Lynn Janson
John William Janssen
Karissa A. Jensen
Cody Matthew Jenson
Mark Aaron Johannes
Jeffrey Allen Johnson
John Sebastian Kalenze
Jason George Keck
Emily Caren Kedrowski
Shahzeb Ahmad Khan
Amir Khubber
Corey Anthony Klaphake
Boyce Allen Kluting
Thomas Garrity Knudson
Evan Elliot Knutson
Stephanie Kaye Kobiela
Autumn Lea Kraft
Daniel John Kremer
Sarah Lynn Kropp
Jenny Lynn Kubischta
Jaden Jacob Kuhn
Michelle Lynn Kuntz
Emma Claire Kusick
Jonathon Mark Lacher
Austin James Langley
Payton Jacob Lautenschlager
Codee Zebedee Lee
Tatianna Marie Letcher
Brett Michael Levos
Amber L. Lindgren
Zachary Allen Lingen
Andrew Bruce Lueck
Lucy Ione Lund
Garret Allen Lungren
Shane A. Maas
Paige K. Magelky
Chelsie Nicole Manton
Patrick Michael Martin
Kristen Marie Matthews
Kara Nicole Mauch
Alyssa J. McKinney
Tyler James Meidinger
Gabriela Michele Mendieta
Nicholas James Metz
Jared W. Meyer
Leah Marie Middendorf
Leslie R. Miller
Austin Jeffrey Moen
Trisha K. Molitor
Jade Marilyn Monroe
Ryan G. Monsen
Adam Leslie Monson
Amy D. Monson
Chelsea Ann Morgan
Jeffrey Paul Moss
Eric J. Murray
Emma V. Neigum
Bradley Paul Nelsen
Spencer Scott Norberg
Blaine Lee Novak
Paul Allen Novak
William Paul Ogdahl
Macalester Vincent Oglesby
Breanna Oldenburg
Leah Thad Olson
Jonathan Charles Oltman
Jake Theodore Ophaug
Michelle Rae Osten
Kasey Lee Oster
Davis Richard Parks
Sarah Elisabeth Paskewitz
Garrett Norman Petersen
Scott Paul Peterson
Logan Jay Pfingsten
Hom Nath Pokhrel
John Phillip Posch
Alexander Elias Prorok
Nathan Louis Qual
Benjamin John Rehder
Janna Marjorie Rice
Jodi Lynn Richardson
Hunter Lee Rosenfeldt
Nicholas Richard Rygg
Benjamin Marshall Salo
Lindsay Rae Samson
Tyler Blake Sanders
Rashi Sangwan
Jeremy Francis Sauer
Alexus Marie Schemionek
Kara Rose Scherbenske
Chelsea Scott
Allyson A. Seibert
Sierra Lyn Shoman
Caitlin Rose Simek
Sanjivni Sinha
Cambria Sue Slaubaugh
Jamie Lynn Sletten
Leiah Rose Smolley
Ethan Aaron Sorenson
Urelle Erin Stangler
Matthew Albert Stein
Alexis Amber Steinman
Dakota May Suko

Joshua Adam Sundby
Brady Wade Swanson
Kiersten Elizabeth Tepp
Nisa Ann Tharayil
Cale Eugene Thomas
Jennifer Joy Thomas
Melany Rachel Thomas
Deborah Michelle Thompson
Tandi Leigh Thompson
Megan Elizabeth Tiegs
Taylor John Tomperi
Nevada James Turbiville
Rebecca Mary Turnquist
David Vander Zee
Briar Lynn Verbout
Jordan Roger Voorhees
Samuel Joel Wagner
Cody Samuel Wahlstrom
Cullen Richard Walser
Andrea R. Weiss
Bennett Mark Weller
Alicia Michele Widhalm
Zachary Allan Wiest
Kyle Thomas Wolf
Kaitlin Sue Worms
Leonard Richard Wrona, III.
Nathan A. Wyatt
Brock Robert Zenzen

Master of Science
Joseph V. Alfonso
Ratko Balic
Lauren Paige Sager Bittara
Jena Lee Bjertness
Danielle N. Black
Craig Henry Carlson
Lindsey R. Coupe
Yayra E. Domfeh
Juan Ramon Franco Coronado
Etsehiwot Gebreselassie
Jessica Marie Halvorson
Martin R. Hochhalter
Katherine Claire Ann Kral
Aka Kyaw Min Maw
Tyler Kurt Larson
Rachel I. McArthur
Brandon Lee Montgomery
Manbir Kaur Rakkar
Adriana Virginia Rodriguez
Suraj Sapkota
Roshan Sharma Poudel
Deepti Tyagi
Xue Wang

Doctor of Philosophy
Sahar Arabiat
Elena De La Pena
Ahmedelfatih Eldoliefy
Gerardo Gracia Gonzalez
Danqiong Huang
Balapuwaduge Mendis
Ligia Dias Prezotto
Xianwen Zhu

College of Arts, Humanities, and Social Sciences

Bachelor of Arts
Mohamed H. Abdirahman
Oyunbold Batjargal
Jordan Lea Engelke
Alea Egging Florin
Candace Elise Kallevig
Remington S. Krueger
Olivia M. Niday
John Norberg
Grace Anne Peterson
Tyler L. Ringstad
Katerina Voronova
Kelly Elaine Williams

Bachelor of Fine Arts
Mataya Trae Armstrong
Thomas Liam Brennan
Clare Anna Marie Geinert
Jack Chamberlain Golden
Katherine Ann Guzzi
Rebekah Lynn Herdklotz
Kelsy Brooke Hewitt
Brian P. Lynch
Zachary R. Sandberg

Bachelor of Landscape Architecture
Luke Patrick Champa
Keith Michael Dahl
Bradley Salvarino Garcia
Robert Morgan Latham
Daniel Arnold Nipstad
Charles K. Okigbo
Joseph Robert Starbuck
Kelsey Marie Windrum

Bachelor of Music
Gregory David Blair Calrow
Jacob Isaiah Dixon
Wade Joseph Stalboerger
Devon Ryan Tucker
Katelin Ann Wadeson

Bachelor of Science
Daniel Mabior Achiek
Brenda Nicole Ackerman
Alexander James Akerman
Krista Ann Aldrich
Claire Olava Anderson
Kathryn Marie Anderson
Stephen Prescott Anderson
Trisha Rae Anderson
Sarah Ann Arnold
Hailey Justine Askeland
Noah Avon
Shem D. Baker
Abigail R. Bastian
Hannah Elizabeth Bednarek
Holly Catherine Behlke
Levi C. Beiningen
Jodi Jean Berdahl
Trevor Ray Berner
Matthew Howard Bilitz
Katelyn Marie Blackwelder
Dallas Michael Bosch
Nicole Louise Boss
Noah Anthony Merle Burris
Lauren Lee Cammack
Jessica DeMarais Carlson
Luke Patrick Champa
Bowei Chen
Krystal Marie Chermak
Joseph Thomas Corcoran
Luke D. Couchey
Logan Charles Curti
Ashley R. Daanen
Keith Michael Dahl
April Ann Daly
Samantha Michelle Day
Melinda Suzanne Deugan
Jocelyn Driscoll
Wesley Michael Dullinger
Michael Wayne Duncan
Jason Robert Dvorak
Samantha Marissa Eidenschink
Alexandra Lynn Elder
Jennifer Olivia Fatz
Kristen Jewel Fennell
Megan May Feyereisen
Zach Fimon
Alyssa Jane Fischbach
Colton Josiah Fleming
Kelli Marie Flieth
John Fontana
Delaney Jo Freer
Heidi Lynn Freye
Tyler J. Gapinski
Bradley Salvarino Garcia
Cody J. Gerszewski
Ian Randy Godfrey
Erin E. Hackey
Caleb Leif Macpherson Hamilton
Patrick Robert Haraldson
Justin Charles Hayman
Jenna Kristine Hedstrom
Kelsey Lynn Helland
Samuel Jerome Herder
Dylan Richard Hilber
Jesse Alexander Hinz
Jacob Brendan Hodgson
Cale Aaron Homuth
Danelle Kathrina Hopkins
Hayley Elizabeth Horntvedt
Brittani KaLouise Hovland
Andrea Yvonne Johnson
Haley Taylor Johnson
Cole James Johnston
Caitlin Mary Joppru
Kurtis Andrew Julson
Krista Jo Kappes
Nicholas Richard Kasper
Elizabeth Sarah Keena
Mariah Rose Kenney
Erika Dawn Ketterling
Bethany Irene Kiedrowski
Callie Alicia King
Rebecca Lynn Kotchian
Erin Michaela Krieger
Heather Elizabeth Kroeker
Remington S. Krueger
Bridget Janel Kruger
David Thomas Kurtti, II.
Alexander Dean Lapham
Robert Morgan Latham
Travis Jon Lauer
Robert C. Lauf, III.
Denise Katherine Luttio
Amanda Rae Magnuson
Keith Alexander Mantz
Lisa Ann Marchand

Dzenita Maslesa
Kyle Adam Mason
Krystyne Roxanne Maue
Kelsey Jean McLachlan
Heather L. Milbrath
Katie Jo Miller
Maggie Paulette Moen
Shelby Lynn Moen
David James Nasvik
Daniel Arnold Nipstad
Charles K. Okigbo
Chinyere Verna Okwulehie
Dustin Robert Olson
Dean Omane
Jacob Jeff Oxner
Brady Pieper
Michael David Pietron
Ryan Pivoran
Danielle Marie Poce
Colton J. Pool
Justin Ryan Prettyman
Jaclyn Frances Proulx
Emily Raquel Ramstad
Chloe Elise Reichel
Delilah Mae Robb
Sarina Rae Sandstrom
Amber L. Schneider
Stacey Ann Schulte
Conner Reagan Scott
MeiLi Mina Smith
Eric Lowell Solien
Christopher Randal Spangler
Lauren C. Spillers
Joseph Robert Starbuck
Deanna Marie Storey
Jennifer R. Studer
Nathan W. Szurek
Joshua Dean Taylor
Danielle Lynn Thiessen
Megan Jane Toso
Morgan Marie Tschida
Michael Kore Uwe
Taylor James Van Dyke
Jason Heston VanHorn
Brent Thomas Williamson
Kelsey Marie Windrum
Maria Jean Yurczyk

Bachelor of Science in Architecture
Niloufar Alenjery
Pedro Armendariz
Matthew Thomas Axtmann
Mitchell Clark Borgen
Anshul Brat
Brooklyn Skye Burmeister
Craig Michael Cusick
Cory A. Cwiak
Emma Lea DeMartelaere
Tyler Matthew Ertl
Alicia Francis Fadley
Ryan S. Gram
Matthew Frederic Hall
Shannon Elizabeth Hanson
Charlotte Tanay Haugh
Alexandra Kaye Hirstein
Wilbur Taylor Holt
Carmen Jule Johnson
Amelia Anne Koenig
Katelyn May Kostad
Rachel Joan McGinn
Joseph S. Miller
Nathan Douglas Miller
Kaspari Melinda Modin
Jarrett Dean Mork
Peter Edward Mueller
Matthew Brian Nohr
Thomas Michael Rhone
Kyle Anthony Rummel
Taylor Nicole Schuman
Benjamin John Strehlow
Hue Chee Vang
Justin Mark Warner

Master of Architecture
Tara Michal Anderson
Shelby K. Augustine
Gregory David Bednar
Nicholas Paul Brandt
Ronald John Brinkman
Dennis Henry Bukowski
Sarah Carolyn Crook
Logan Alan Diehl
Joshua Adam Donnelly
Samuel Bernard Erickson
Caetlin M. Fox
Brian George Glur
Amber Olivia Grindeland
Catherine Elaine Groth
Timothy Joseph Halvorson
Noah Michael Harvey
Matthew Michael Hoefler
Kyle Davis Hoverson
Aaron Mark Johnson
Rebecca M. Johnson
Logan Anthony Kern
Chelsea Marie Lenz
Ryan Linne
Mackenzie Ruth Lyseng
Kellie Marie McCullough
Matthew Curtis Moeckel
Matthew L. Qual
Ryan Mitchell Quast
Troy Jared Raisanen
Crystal Marchelle Rinkenberger
Esau M. Rodriguez Padilla
Katelyn Max Schmidt
Michael Phillip Schnack
Alexandra R. Schrader
Shawn Lawrence Senescall
Alyssa Marie Stroh
Nicholas David Strombeck
Jennifer J. Upcraft
Jennifer Ann Watters

Master of Arts
Megan Lynn Even
Noor Ghazal-Aswad
Heidi Jo Kruse
Kimberly Ann Ray
Ann M. Stewart

Master of Music
Christopher T. Argenziano
Eric Andrew Martens

Master of Science
Brianne Carlsrud
Alicia Jane Kauffman
Amanda M. Savitt
Muhabbat Makhbudovna

Doctor of Musical Arts
Adam C. Hollingsworth
Jonathan Daniel Strommen-
Erik Andrew Zinter

Doctor of Philosophy
McKenzie Ann Wood

College of Business

Certificate
Isaac John Anderson
Troy Daniel Borowicz
Christopher Todd Christian
Sara Faye Dummer
Taylor J. Perdew
Tyler Harold Schmidt
Tanya Lynn Stillwell
Austin Edward Swecker

Bachelor of Science
Katherine Elisabeth Affield
Joseph James Anderson
Kaitlin Eletta Anderson
Mason John Anderson
Benjamin Daniel Armbrust
Abigail Rose Ascheman
Gabriel F. Beaufeaux
Troy Daniel Borowicz
Michael Travis Bowler
Dallas Ann Breberg
Brogan Lorraine Burwick
Brad W. Cantwell
Anna Ruth Carlson
Yuexin Chen
Hyeon-gyeong Cho
Brian Gary Christensen
Christopher Todd Christian
Kevin Joseph Coffman
Ryan Vincent Connor
Katelynn Allene Dauwen
Matthew David Delaney
Danielle Lynn Dombeck
Megan Marie Duevel
Sara Faye Dummer
Lauren Amanda Dumont
Anthony James Eklund
Zachary Joseph Enz
Brittany Mishelle Even
Breeanna Rae Fandrich
Jeremy Michael Feist
Blake Allen Finger
Andrew James Ganje
Gabriela Maria Garcia
Joseph Theodore Gedgaud
Christopher Allen Gerving
Zachary Tyler Good
Brandon Lynn Goodenbour
Daniel Jerome Gorghuber
Joseph Robert Gruber
Michael Andrew Hanson
Timothy William Hanson
Molly Kristine Harris
Matthew Steven Hartman
Erin Marie Haugen
Mara Jo Headline
Joseph Thomas Heinsen

Jordan Mathew Hennen
Danielle M. Herrington
Savanna Lynn Hill
Seth Thomas Hochstatter
Brooke Marie Hoese
Taylor Ann Holzer
Jonathon Miller Hopkins
Nicole Marie Hulm
Da Huo
Eric R. Jablonsky
Melissa Margaret Jackson
Justin Lee Jenner
Sarah Jean Jensen
Caleb Fredrik Johnson
Stephanie Marie Johnson
Michael David Jolliff
Krissa Vola Kae Jones
Travis Robert Jones
Brittany Marie Jordan
Joseph Daniel Keimig
Kario Alexandria Kelly
Dahee Kim
Lukas Mitchell Kinneberg
Elisa Jane Knoll
Christopher Michael Koffler
Sean Kolodziej
Patrick Ryan Konzak
Avery W. Krebs
Shenille Angie Laber
Adam Mitchell LaDue
Kelsey Ray Larson
Courtney Samone Lawhorn
Kathryn Ann Leidall
Yazhen Li
Nicole Taylor-Ruth Lindemoen
Tyler Matthew Loch
Kaylee Ann Lothspeich
Daniel Patrick Ludowese
Emily Lynne Ludwig
Spencer Howard Mack
Richard Allen Maris
Molly Ann Masseth
Sean M. McCabe
Kevin J. McCarthy
Marshall Taylor McFadden
Chantel Nicole Meech
Alex Anthony Mies
Joy Rene Mikkelson
Blake Evan Morrow
David Lowell Mueller
Jose Ruben Munoz Pineda
Tracy Lynn Nash
Ryan Paul Nelson
Douglas Duane Noah
Brooke Lauren Northwick
Amanda Jo Olek
Kaitlyn Marie Oliver
Lauren Nicole Olson
Julio Cesar Paredes
Jiwan Park
Taylor J. Perdew
Tonya Kay Peters
Kathryn Marie Petersen
Adam James Polack
Jason Andrew Pomerenke
Anna Margaret Poster
Jennifer Lynne Regimbal
Kyle Eugene Roberts
Robert E. Ruud
Wilson Farber Schadauer
Katelyn Peggy Schell
Devon Wayne Schmeling
Erica Lynn Schmidt
Tyler Harold Schmidt
John Stephen Schmitz
Lindsey Rae Schneider
Daniel James Schultz
Rebecca Denise Schultz
Stephanie Ann Schumacher
Brett James Severson
Angela Rebecca Sherman
Ashlynn Aurilla Joyce Simon
Pulkit Singhal
Jonathan William Sipe
Sam Lee Sletta
Ryan Lewis Smith
Tyler Lee Snook
Joseph Charles Sornsin
Hayden Thomas Spaeth
Toi Marie Spaeth
Whitney L. Sponsler
Zachary Patrick Spychalla
Shea Alexandra Steidl-Kent
Eric Michael Stelter
Tanya Lynn Stillwell
Nichole Cecilia Strei
Julia Barnes Striker
Amanda Alice Swanson
Griffin Richard Swanson
Austin Edward Swecker
Kody Kent Syverson
Kristofer Michael Talbot
Chengyuan Tang
Nathaniel Bryan Thompson
Cody Andrew Torbenson
Kyle Timothy Viland
Aaron Christopher Vold
Rachel Maria Wagar
Lina Wang
Xiqian Yan
Eric Neil Zachariason
Victoria Marie Zastrow
Xi Zhang
Yuhui Zhang
Zhiyao Zhang
Zehua Zhuang

Master of Accountancy
Alexander Glen Bakken
Hayleigh D. Bruns
Melanie K. Hengel
Jarren Michael Lutes
Andrew Richards
Mikka Jo Wold

Master of Business Administration
Ian Matthew Carlstrom
Adam Kenneth Collins
Laura Dawn Dallmann
Sheldon Thomas Ehli
Nadezda Viktorovna Fastovtsova
Daniel James Flynn
Srinivasa Murthy Giridhar
Heather April Goulet
Aaron Richard Grinsteinner
Weizhe Hu
Alex Karl Kaczor
Blair Kiland
Danielle Paige Knoll
Vidur Kushwaha
Cole Frederick Palloch
Buddhika Perera
Aaron Michael Redenius
John O. Rogstad
Emily Anne Voigtlander
Yanbin Wei
Juechen Yang

College of Engineering

Certificate
Michael Hutchinson

Bachelor of Science in Agricultural and Biosystems
Kalli Lynn Berning
Tyler David Cebulla
Cody T. Kallock
Nicholas Chad Krippner
Ryan Michael LaCanne
Lucas Alan Melroe
Lucas Roy Salfer
Matthew James Sharpe
Matraca Lavonne Steen

Bachelor of Science in Civil Engineering
Michael Jacob Aamodt
Grady James Anderson
Isaiah Juan Ayala
Jennifer Elizabeth Barstow
Nathan Jhaun Berens
Alex Dale Bitter
Taylor Joseph-Jerome Braaten
Aaron Daniel Briski
Frank Edward Brodeen
Terrence Francis Callahan
Zachary Arlen Cormican
Anna Rachel Cunningham
Dane Justin Ekdom
Jack Russell Fletcher
Nikki Jo Frank
Ryan Matthew Frolek
Susan Barbara Ann Gilbertson
Blaine Michael Green
Jarred Donald Grindahl
Jacob A. Hexum
Matthew Scott Hildreth
Lucas Jeffrey Hoffman
Yulong Jiao
Martin Michael Joyce
Lance Kenneth Kalthoff
Derek Joseph Kayser
Sean Patrick Kelly
Kevin Lee Kruger
Todd Holman Lowell, Jr.
Nels Christian Lund
Erin Kay Mattern
Megan Elizabeth Meyer
Mark Merton Miller
Jacob Richard Mitzel
Kelsey Marie Montebello
Paige R. Mortenson
Benjamin Jung Otto
Bradden Robert Parks
Brannon Lee Peterson
Joshua Paul Phillips
Ursinio Puga Gil
Theron Richard Rein

Blake Thomas Ryan
Mary Ann Schindler
Joseph Frederick Schultz
Jonathon Paul Schwegel
Isaac Michael Serre
Christina Ann Sullivan
Dain Steven Synhorst
Zachary John Thelen
Brandon T. Todd
Shane Thomas Traulich
Emily Louise Von Hagen
Michael Steven Winther
Troy Allen Wright
Nicholas Patrick Wyers
Joseph A. Zikmund

Bachelor of Science in Computer Engineering
Tyler John Brunette
Ryan Lawrence Dorendorf
Jonathon D. Edstrom
Nathan Joel Joraanstad
Vishal Singh Rathore
Riya Sharma, Jr.
Kyle John Thorson

Bachelor of Science in Construction Engineering
Jordan Herman Bartsch
Brent William Finley
Megan Lynn Larson
Seth Eugene Morken
Bryan Joseph Silvers

Bachelor of Science in Construction Management
Alexander Perry Astin
Mason Michael Beier
Edward Thomas Bolton
Cole J. Carrier
Brendan Patrick Cullen
Jordan Kyle Gleason
Trent Arnold Hagen
Shane Allen Hillen
Adam Gregory Huston
Cody James Idso
Matthew William Katzenmaier
Tyler Curtis Kellen
Andrew Jeffrey Kinsel
Justin Duane Ostgard
William Michael Rader
John Patrick Reiter
Adra Abdulrahman Salim
Taylor August Werner
Wanting Zhang

Bachelor of Science in Electrical Engineering
Daud Hersi Ali
Hollis Michael Barkhaus
Michael Ryan Barnhardt
Dylan George Bernhardt
Brandon Dean Bieber
Preston Mark Blinsky
Lelan A. Bosch
Hao Chen
Cody Henry Clarksean
Boris Curuvija
Peter Nelson Day
Jason Dean Ecklein
Davis Randall Fischer
Brett Richard Garske
Ruisi Ge
Mehari Ghebreyohannes
Nathan K. Goenner
Jacob Michael Goodell
Daniel Harry Grages
Mitchell William Heltemes
Ethan Paul Hettwer
Tyler Ray Hill
William Owen Hoffa
Taylor James Holte
Samuel David Katz
Tyler Mathew Keller
Joshua Robert Kertscher
Christine Kay King
Kyle John Krause
Darrin M. Laudenbach
Khamis Samuel Lemi
Schuyler J. Long
Manuela Lopera Higuita
Jay Pierre Miller
Dung Ngoc Nguyen
Troy Errick Osmanski
Jacob Matthew Parrow
Thomas Peter Pinewski
Philip William Ready
Jeremy Joel Reller
Taylor Jay Roorda
David William Russell
Lucas J. Schaaf
David Benjamin Schuette
Gaurav Sharma
Tyler James Sorvari
Mitchell Louis Stoeberl
Jacob Ross Ukkelberg
Andrew Bryce Volk
Tao Yang
Hankuan Zhang
Yunchuan Zhang
Mark Zilberman
Yili Zou
Benjamin Alan Zurn

Bachelor of Science in Industrial Engineering and Management
Laura Patricia Chavez
Philip Craig Cooksey
Can Cui
Jacob Vernon Frieler
Joseph David Fritzjunker
Lauren Elizabeth Frohlich
Hao Fu
Andrew Dale Gertner
Bethny Marie Hoff
Jaron Thomas Hughes
Twila Elaine Moser
Chao Pei
Eric Paul Schauer
Charles Kyle Shorma
Tyler Patrick Theisen
Michael Joseph Walmsley
Tanner Anthony Wolbersen
Ruinan Xie
Nikushi Shakyadevi Yatigala
Jessie James Zerr

Bachelor of Science in Manufacturing Engineering
Devin Lee Arnzen
Andrew John Dalman
Zheng Fang
Cong Liu
Jacob William Mason
Tyler Thomas Skeate

Bachelor of Science in Mechanical Engineering
Ryan J. Anderson
Jake Marvin Braaten
Jesse Matthew Brooks
Lucas Frank Budzien
Andrew Daniel Carlson
Maxwell John Chelberg
Eric Michael Cochrane
Steven Michael Conrad
Sourav Dan
Nathan Dean DuChene
Jake Randal Eissinger
Shawn Bradley Erickson
Nathan Evan Esboldt
Britt Alan Helten
Alexander John Henderson
Colton John Hirman
Jeremy John Jenniges
Zachery S. Johnson
Kartik Joon
Nabin Karki
Nathan Lynn Kinneberg
Karl Emerson Klindworth
Patrick Gerald Link
Samantha Lee Mailhot
Jonathan Micah Miller
Matthew C. Moenkedick
Jeremy L. Morrison
Mitchell Roland Nelson
Michael Thomas Niehoff
Nicholas John Noeske
Vanessa Rose O'Gara
Samuel O. Ogunyemi
Zachary Francis Ourada
Jesse Allen Pierce
Jared Daniel Quinlan
Alexander Anderson Reed
Garrett Daniel Reed
Benjamin Charles Reiff
Landin Ronald Rognlin
Ian Jon Sannes
Austin John Schlichting
Zachary Paul Semler
Travis Steven Sims
Benjamin Theodore Sinnett
Matthew David Slama
Rachel Ann Smith
Ryan Peter Solstad
Connor Davis Swiontek
Kyle Ian Tasler
Luke Jacob Thiele
Zachary M. Triplett
Yiming Wei
Joshua John Weismantel
Jacob Dale Williams
Jiawei Zhang

Master of Construction Management
Aaron Paul Kellerman
Wayne Leslie Lavalier

Master of Science
Hani Mohammed Q. Alanazi
Venkata Chintalapudi
Alex Paul Flage
David Paul Gutschmidt
Xiao Liang
Emily Rose Nordahl
Mary Francis Pate
Sayantica Pattanayak
Thomas C. Schanandore
Saurav Shankar
David John Sundquist
Michael Andrew Telste
Xin Wang

Doctor of Philosophy
Mazhar Ali
Muhammad Ali
Amir Ghavibazoo
Nassibeh Hosseini
Samad Javid
Jessica Lynne Lattimer Vold

College of Graduate and Interdisciplinary Studies

Master of Natural Resources Management
Kristine Leann Askerooth
Pragya Devkota
Matthew Scott Mittag
Andrew W. Willyard

Master of Science
Abilio Barros Soares
Crystal Nicole Starr
Travis Gene Strehlow

Doctor of Philosophy
Anusha Rupika Balangoda
Justin D. Fisher
Samira Mafimoghaddam
Karen R. Ryberg
Brianna Leigh Schneck Stenger
Qun Sun

College of Human Development and Education

Certificate
Kimberly Katie Booth
Abigail Ruth Debner
Aaron Lee Field
Balapuwaduge Mendis

Bachelor of Science
Meghan Mae Aadland
Hailey Marie Adams
Karla Elizabeth Alme
Dilheen M. Amedi
Katie Lynn Anderson
Kelsey Grace Anderson
Alissa Dawn Autio
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Lynk Claire Downing
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Briana Mae Hoaby
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McKenzie Dean McMillan
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Hailey Ann Verwest
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Master of Athletic Training
Colin John Hulm
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Master of Education
Nathaniel Charles Bailly
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Master of Science
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Doctor of Philosophy
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College of Pharmacy, Nursing, and Allied Sciences

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Jan Marie Keller

Bachelor of Science
Ryan Gerald Altendorf
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Keshia Ryan Kotula
Kolby Lee Schaeffer

Doctor of Nursing Practice

Natalie Marie Aughinbaugh
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Joshua Thomas Christophersen
Breanna Kaye Curtis
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Brook Edward Fiebiger
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Matthew Thomas Ironroad
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Brianne Marie Johnson
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Alyssa Marie Kelsch
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Breann Kochevar
Gerard Joseph Kokett
Jessica Frances Kopp
Andrew Joseph Kunya
Kammy Joanna Larson
Aaron John Mertens
Karissa Mae Miller
Kimberly Anne Miller
Shelby Rae Monson
Kayla Nicole Nelson
Jenna Lynn Pakala
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Toan N. Phan
Ryan Platz
Abby Marie Richardson
Whitney Marie Richman
Jordan Lee Rist
Tyler Kevin Rogers
Heather Mae Ryan
Jeremiah John Saunders
Jordan Marie Schlicht
Jessica LeDoux Schnabel
Sara Ann Schroeder
Molly Ann Slaby
Amy Marie Steckler
Danielle Ann Stenhjem
Svetlana G. Stukalova
Jessica Renee Theisen
Trent Alex Thompson
Amanda Jean Timmerman
Martha Emily Toede
Carly L. Trowbridge
Shalene Marie Troyer
Kayla Jo Vieau

Alex Stanley Wald
Katlyn Jo Weigel
Jacob Robert Westman
Kelsey BethAnna Wolfe
Kong K. Wong
Amber R. Wood
Jingyang Xiao

Doctor of Philosophy
Gitanjali Sharma

College of Science and Mathematics

Certificate
Jaesung Choi
Austin Nhan Nguyen
Christopher Michael Thompson

Bachelor of Arts
Kandra Alyss Brunner
Steven Ray Buringrud
Lauren Elizabeth Christianson
Michael Joseph Dancer
Madelyn Claire Esperum
Adam Julius Knutson
Eric John Krenz
Danielle Sophie Lassonde
Patrick Raymond Schaefer
Christopher Edward St. Amant
Alexander Douglas Wolf

Bachelor of Science
Houda Magdy Abdelrahman
Evan Reuel Ackerman
Ibilola Ayodele Adebimpe
Michelle Marie Adelmann
Megh Nath Adhikari
Alero Hilda Ajogri
Amos Lomindya Albert
Kurt Bernhard Altenburg
Stephen Kyle Anderson
Marisa Lynn Asheim
Barbarah Jo Back
Steven Kaspari Baker
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Logan Robert Dop
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Amy Marie Faller
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Savannah Joy Fritz
Jie Gan
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Marc Lawrence Guler
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Chad Haabala
Toby Benjamin Haas
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Alexander J. Hatzenbuhler
McCall Jeanette Henkel
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Rahmanul Hoque
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Brett Matthew Kelly
Jessica Lynn Kesson
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Taehyun Kim
Kaelen Ralph Kosse
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Tika R. Lamitare
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Wei Kang Lim
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Levi Aaron Lystrom
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Lucas Daniel Nelson
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Shelby Ann Sharp
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Zach Tyler Staskywicz
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Sayuri Suda Yang
Wenzhao Yang
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Shujian Zhang
Wei Zhao

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Qiang Li
Shane Robert Loeffler
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Aakanksha Rastogi
Naveed Ahmed Syed
Srikanth Valluru
Yijun Wang
Malia Zee

Master of Software Engineering
Syed Ahmed
Joseph Munowenyu
Umanga Niroula
Yunesh Shakya
Ujjwal Shrestha

Doctor of Philosophy
Daniel Aceituna
Padmaja Laxman Ghospurkar

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Stephan Loew
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Raed Seetan
Abhijit Suryawanshi
Jing Zhang

College of University Studies

Bachelor of University Studies
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Rachel M. Klein
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Davis Ronald Axel Steen
Sharon L. White Bear

NORTH DAKOTA STATE UNIVERSITY
Summer 2015 Graduates
Degree Conferral Date: August 7, 2015

College of Agriculture, Food Systems, and Natural Resources

Bachelor of Science
Jacob Lee Aanden
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John Olaf Bollingberg
Lacey Sue Carlson
Haylee Marie Cloutier
Melissa Sue Evans
Zachary Taylor Grothmann
Taylor James Hall
Chase Dunwoody Haskell
Tyler Gregory Kemp
Connor Carl Levorsen
Kruiz Donavin Lindblad
Kelsey Marie Lysford
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Mohamed Ahmed Muhumed
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Kelcey Linda Olson
Tyson Lee Pfingsten
Peter John Rutgers
Rachel Rose Schlieman
Mara Elizabeth Smith
Zachary Bryan Stowell
Paige Danielle Swenson
Evan James Tollefson
Chelsea Volk
Stephanie Anne Weir
Crystal Anne Wilson

Master of Science
Elina Adhikari
Ryan Richard Buetow
Kwang Bog Cho
Neeraj Dhingra
Julianna Franceschi
Erin Marie Gaugler
Mattia Ann Gunkelman
MD Daulat Hossain
Amanda Rose Lipinski
Erin Leigh Mclean
Kellie Kay Podliska

Doctor of Philosophy
Casie Shantel Bass
Sintayehu Daba
Owusu Domfeh
Naiyuan Dong
Christina Anne Schwartz

College of Arts, Humanities, and Social Sciences

Bachelor of Arts
Marilyn Lucia Bernabe
John Michael Mayer
Kyle Gentry Rose

Bachelor of Fine Arts
Callie Marie Schroer

Bachelor of Landscape Architecture
Ryan S. Hermes

Bachelor of Music
Paul M. Nason

Bachelor of Science
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Martin James Buller
Haley Inez Deserly
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Anthony H. Smith
Kelsey J. Solberg
Chelsey Alexia Stoppleworth
Danielle R. Toenyan
Nicole Ann Wynsteker
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Bachelor of Science in Architecture
Jeffrey Daniel Arel
Lauren Cathryn Falcon
Tyler Kevin Harnisch
Megan Oakes

Master of Architecture
Amy M. Klindworth

Master of Arts
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Alyssa R. Miller
Kai Jerome Thorstad

Master of Music
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Kalli Nicole Murphy
Sebastian Michael Tackling

Master of Science
Matt Dahmen Nelson
Callie Dominique Karlsson Speer

Doctor of Philosophy
Emily Ann Paskewitz
Katherine Lynn Tulibaski

College of Business

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Ashley Rose Seitz

Bachelor of Science
Omar Ali Abdi
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Jalen Thomas Burchill
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Taylor Anthony Christenson
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Shiloh Nathan Susag

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Alex Richard Steen

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Gaurav Anand Patwardhan
Million H. Tesfaye

College of Engineering

Bachelor of Science in Construction Management
Alexander E. Lavoy

Bachelor of Science in Electrical Engineering
Ibrahim Khalil Bawi
Deniz Comez
Michael Scott Erickson
Yifu Gong
Ankit Kumar
Alex James Liebsch
Batuul Tumurkhuyag
Xinhao Xiao

Bachelor of Science in Industrial Engineering and Management
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Andrew Kristian Narvesen
Ashkan Saboori
Alarka Sanyal

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Abdul Hameed
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Muhammad Usman Shahid Khan
Ewumbua Monono
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Chasity Lynn Odden Heide
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Certificate
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Bachelor of Science
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Donald Robert Duren
Michelle Louise Fakler
Sophia Ruth Marie Gilsrud
Amy Lynn Halverson
Anastasia Mae Hartwig
Jordyn Lynn Hepper
Jeremiah John Hoff
Amber Marie Huerkamp
Tyler Kazuo Ito
Julian Alexander Jacobson
Greta Catherine Keller
Stacey Renae Klocke
Alison Jeanne Kretchman
Keri M. Lenzmeier
Katelyn Corine Lundblad
Kelsey Kay Murray
Seraphine Mai Ngang
Brooklyn Nhu Nguyen
Kirsten Orbeck
Katherine Ann Packulak
Kelly Marie Rensink
Emily Pearl Sanborn
Erica Rahcel Schneibel
Adam J. Thelen
Rebecca Marie Wiig

Bachelor of Science in Nursing
Emily Lauren Anderson
Britney Marie Bender
Julie Lynn Berney
Kelly Jean Economon
Laura Lee Hexum
Tayler Kay Kuehl
Rhea Neuberger
Nancy Kay Nubson
Rachel Marie Olerud
Nicole Danielle Rasmussen
Brianna Kay Salathe
Alexis Marie Schaaf
Erika Lindsey Stein
Kristy Marie Stroot
Taylor Ann Young

Master of Public Health
Kylie Jean Hall
Jason Alan McCoy
Jared G. Plutowski
Jan Joanne Vasquez

Doctor of Pharmacy
Andrew Dale Holm
Nha N. Phan

Doctor of Philosophy
Qunshu Zhang

College of Science and Mathematics

Certificate
Qun Sun

Bachelor of Science
Corey Duane Andersen
Kristian Johan Brakvatne
Steven James Burdick
Allison Jessica Goldenstein
Matthew Leigh Jurgens
Joseph Mateo Leard
Hannah Dianne Nelson
Kayla Lynn Peterson
Kylan Jerome Stecher
Weikang Yang

Master of Science
Taryn Ruth Chase
Harshada Chandrakant Chavan
Amro Salem Salem Hassan
Blake James Huebner
Lucas James Huebner
Joshua Gilbert Hugen
Diana Michelle Kennedy
Xiyuan Liu
Samantha Kathleen Myhre
Elizabeth Joan Noel
Casey R. Orgon
Sowjanya Param
Kathryn A. Preston
Rebecca Elizabeth Ramos

Anuevelyn Sathiaseelan
Kevin Jeffrey Soderholm
Brittany Leigh Stevenson

Master of Software Engineering
Joel S. Rindfleisch

Doctor of Philosophy
Bilal Ibrahim Al-Ahmad
Rami Alroobi
Hannah L. Altmann
Kiran Bhat Kashi
Min Chen
Wen Cheng
Bekele Jemama Gurmessa
Su Hua
Pratap Kotala
Bianca Montero
Yingfei Mu
Andriy Popadyuk
John D. Ranney
Mark A. Spanier
Ai Ni Teoh
Jonathan Paul Totushek

College of University Studies

Bachelor of University Studies
Lawrence C. Alexander
Nathan W. Brew
Jenna Kay Carlson
Michael David Larson
Charles Dean Paxton
John David Seifert
Bryan Marques Shepherd
Nicole Marie Smith

Policy *133.1* Version 1 *12/31/14*
Policy *803* Version 1 *2/11/15*
Policy *154.1* Version 1 *06/09/2015*

Policy Change Cover Sheet

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

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

SECTION: 154.1 Sale or Distribution of Racially and Sexually Offensive Material

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes x☐ No
   - Describe change: Correcting the title of this policy to read SALE "OR" DISTRIBUTION OF … instead of SALE "OF" DISTRIBUTION OF…. (housekeeping change)

2. **This policy change was originated by (individual, office or committee/organization):**
   - Kelly Hoyt, former SCC Secretary
   - kelly.hoyt@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	6/12/15
Faculty Senate:	6/12/15
Staff Senate:	6/12/15
Student Government:	6/12/15
President's Cabinet:	6/12/15

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

North Dakota State University
Policy Manual

SECTION 154.1
SALE ~~OF~~ OR DISTRIBUTION OF RACIALLY AND SEXUALLY OFFENSIVE MATERIAL

SOURCE: NDSU President

North Dakota State University is committed to providing its students and staff with an environment for learning and working that is free from racial and sexual discrimination. The University thus does not approve of the sale or distribution by its departments or recognized student organizations of any material that is racially or sexually offensive to other members of the NDSU community.

This Policy is intended to prohibit, for example, the sale of clothing or banners with derogatory references to other school mascots that have an ethnic basis.

Questions regarding other applications of this Policy may be addressed to the Office of Equity and Diversity, 204 Old Main (237-7708).

HISTORY:

New	August 21, 1989
Amended	July 2001
Amended	October 2007

Policy *168* Version *1* *06/29/2015*

Policy Change Cover Sheet

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

SECTION: 168 REASONABLE ACCOMMODATION ON THE BASIS OF DISABILITY - GUIDELINES FOR EMPLOYEE REQUESTS

4. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes X☐ No
   - Describe change: Making two housekeeping changes – correcting title of a form and updating its link

5. **This policy change was originated by (individual, office or committee/organization):**
   - Human Resources/Payroll on 6/29/15
   - colette.erickson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 168
REASONABLE ACCOMMODATION ON THE BASIS OF DISABILITY - GUIDELINES FOR EMPLOYEE REQUESTS

SOURCE: NDSU President

1. NDSU is committed to providing equal opportunity to both applicants for employment and employees with disabilities, as defined by law, by providing reasonable accommodations. To fulfill this commitment, NDSU has established the following guidelines.

2. APPLICANTS for employment:

   2.1 Applicants for employment who have a disability may request reasonable accommodation at any time during the application process. Requests for accommodation shall be made to the Office of Human Resources/Payroll. Applicants will be asked to confirm the request in writing, provided, however, the arrangements for accommodation may be initiated prior to receipt of the written request.

3. EMPLOYEES:

   3.1 Request for reasonable accommodation.
   An employee whose disability requires reasonable accommodation in order to perform the essential functions of his/her job may request reasonable accommodations either formally or informally at any time during his/her employment. However, in all instances the request for reasonable accommodation shall be processed through the Human Resources Department. Human Resource's response will be in writing. Supervisors receiving requests for accommodation from employees shall direct the employee to contact Human Resources in order to address their need for a reasonable accommodation.

   3.2 Process for addressing requests for accommodation.
   Informal accommodation requests shall be made by the employee either in-person or in-writing to the Office of Human Resources/Payroll.

   Formal accommodation requests shall be made in writing using the Employee Reasonable Accommodation form. The completed form shall be submitted to the Office of Human Resources/Payroll. In addition, the employee shall provide to the Office of Human Resources/Payroll relevant, written documentation of a disability from an appropriately certified or licensed health care or rehabilitation professional in a relevant field of the disability and explain the need for reasonable accommodation using the Documentation to Support a Request for Reasonable Accommodation on the Basis of Disability form. To ensure a written timely response from Human Resources, it is recommended that the employee submit the documentation (form) within ten working days of the employee's written accommodation request. Both forms are available on the NDSU forms page or by request from the Office of

Human Resources/Payroll.

3.3 Documentation of disability and need for accommodation.

3.3.1. Documentation provided by an employee should include the following:

a) A statement identifying the disability, the date of the current diagnostic evaluation and the date of the original diagnosis, including diagnostic criteria and/or tests used.
b) A description of the current functional impact of the disability.
c) Treatments, medications, assistive devices/services currently prescribed or in use.
d) A description of the expected progression or stability of the impact of the disability over time.
e) The relevant credentials of the diagnosing professional(s) such as medical specialties or professional licensure.

3.3.2. All written documentation provided by an employee requesting accommodation will be maintained in a confidential file separate from the employee's official personnel file in the Office of Human Resources/Payroll.

3.3.3. Occasionally, the documentation provided by the employee may not be sufficient to make a determination of the appropriate reasonable accommodation. In such a circumstance, the University may require the employee to go to a health care professional of the University's choice in order to adequately document the need for accommodation and identify appropriate accommodations. Any medical examination required under these circumstances will be limited to determining the existence of a disability and the functional limitations that require reasonable accommodation.

3.3.4. Any costs related to the University's request for the additional medical documentation described in 3.3.3. above will be the responsibility of the University.

4. The determination of a reasonable accommodation shall be an interactive process involving the employee, Office of Human Resources/Payroll and relevant administrative personnel. The University may provide an alternative to the requested accommodation so long as it is effective in removing the workplace barrier(s) that impede(s) the employee with the disability. The employee may refuse an alternative reasonable accommodation, but such refusal may mean the individual may not be able to perform the essential functions of the job, which may require a fitness for duty evaluation under NDSU Policy 161: Fitness for Duty.

4.1 An applicant or an employee with a disability, as defined by law, who is dissatisfied with the response to his/her request for reasonable accommodation and wishes to appeal, may do so in writing to the Office of Human Resources/Payroll within ten working days of the response.

4.2 An Accommodation Review Board (ARB) will be assembled to review the appeal to the response. Following their review, they will make a recommendation to the NDSU ADA

Coordinator. The final decision will be made by the NDSU ADA Coordinator and communicated to the employee and Human Resources in writing within ten working days of the receipt of the ARB's recommendation.

4.2.1 Members of the ARB shall include:
Director of Human Resources/Payroll or Designee
Director of (Student) Disability Services or Designee
Equal Opportunity Specialist, Equity, Diversity & Global Outreach or Designee
Vice Provost for Advancement of Faculty or Designee

HISTORY:

New	October 13, 1999
Amended	May 6, 2014

Policy *348* Version *06/30/2015*

Policy Change Cover Sheet

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SECTION: Policy 348 – Instruction in the Responsible Conduct of Research

7. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: housekeeping - updated to reflect the change in the person serving as the Research Integrity Officer
8. **This policy change was originated by (individual, office or committee/organization):**
   - Office of the Vice President for Research and Creative Activity
   - cassandra.j.johnson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	6/30/15
Faculty Senate:	6/30/15
Staff Senate:	6/30/15
Student Government:	6/30/15
President's Cabinet:	6/30/15

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North Dakota State University
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SECTION 348
INSTRUCTION IN THE RESPONSIBLE CONDUCT OF RESEARCH

SOURCE: NDSU President

1.0 General Principles.

1.1 The responsible conduct of research (RCR) is critical for excellence, as well as public trust, in science and engineering. Consequently, education in RCR is considered essential in the preparation of future scientists and engineers. Federal law (Section 7009 of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science (COMPETES) Act (42 U.S.C. 1862o-1)) and federal sponsors currently require appropriate training and oversight in the responsible and ethical conduct of research for students and researchers.

2.0 Applicability.

2.1 Students (undergraduates, graduate students, and post-doctoral researchers) "supported" by the National Science Foundation (NSF) for science and engineering research awards must be provided with appropriate training and oversight in the responsible and ethical conduct of research. This requirement is effective with proposals submitted to the NSF on or after January 4, 2010, and includes subrecipient institutions.
(*NOTE: Use of the term "supported," is not restricted to financial remuneration. "Supported" can be access to equipment, supplies or lab space by paid students or even volunteers conducting research. Students supported by funds other than NSF but involved in research sponsored by the NSF are considered supported by the NSF and, thus, subject to training requirements.)

2.2 All trainees, fellows, participants, and scholars receiving support through any National Institutes of Health (NIH) training, career development award, research education grant, and dissertation research grant must receive instruction in responsible conduct of research. This requirement is effective with new and renewal applications submitted to NIH on or after January 25, 2010, and for all continuation (Type 5) applications with deadlines on or after January 1, 2011.

2.3 The Vice President for each unit or the Dean of each college, as applicable, has the discretion to require RCR training for other individuals in addition to those identified in 2.1 and 2.2. "Unit" is intended to mean those divisions that don't have a Dean typically, such as, but not necessarily limited to, ~~Center for Nanoscale Science and Engineering (CNSE),~~ ND EPSCoR and Upper Great Plains Transportation Institute (UGPTI).

3.0 Educational Plans.

3.1 Each college and department (or Vice President, as applicable) is responsible for determining the need for and developing a plan for training in the responsible conduct of

research, as well as developing content and determining the most effective delivery mechanism appropriate for each discipline, tailored to issues and practices that are relevant. General topics (such as responsible authorship and publication) are relevant to all research, while special topics (such as use of vertebrate animal subjects) would be relevant to select research or disciplinary practices. Plans must also include an indication as to the frequency of training required as well as when training would expire. Most programs would include the following topics:

- conflict of interest - personal, professional, and financial
- conflict of commitment
- policies regarding human subjects, live vertebrate animal subjects in research, and safe laboratory practices
- mentor/mentee responsibilities and relationships
- collaborative research including collaborations with industry
- peer review
- data acquisition and laboratory tools; management, sharing and ownership
- research misconduct and policies for handling misconduct
- responsible authorship and publication
- the scientist as a responsible member of society, contemporary ethical issues in biomedical research, and the environmental and societal impacts of scientific research

3.2 NDSU currently subscribes to the Collaborative Institutional Training Initiative (CITI), which offers online modules on discipline-specific RCR training. Units, colleges and departments shall require completion of the appropriate modules by all individuals identified in Section 2.1 for NSF funding, Section 2.2 for NIH funding, and others as identified in accordance with Section 2.3 as a supplement to the unit, college or department training plan. The CITI modules are accessed at https://www.citiprogram.org.

3.3 Federal agencies, including the Office of Research Integrity, recommend incorporating RCR training throughout the curricula, in a variety of formats. Online courses may not be sufficient as the sole means of providing RCR education, and these should be supplemented with didactic and small-group discussions. Multiple approaches to training are recommended to produce the best results.

4.0 Roles and Responsibilities for Compliance.

4.1 It is the responsibility of each college (or Vice President unit, as applicable) to determine how best to ensure effective and appropriate education in responsible and ethical research practices.

4.2 The Dean of each college (or Vice President of a Unit, as applicable) shall be the NDSU designate responsible for overseeing compliance with the RCR training requirement within their respective college or unit.

4.3 Completion of training shall be appropriately monitored by the Deans (or Vice President, as applicable) or their designees and documented by departments or units to verify compliance with NSF, NIH or other sponsoring agency RCR requirements. All training plans and documents are subject to review upon request of the President, Provost, a Vice President, General Counsel, or any other designees, federal agencies or other sponsoring entities.

4.4 The Office of Sponsored Programs Administration (SPA), as the Authorized Organizational Representative for NDSU, shall provide the necessary certification to the NSF that NDSU has a plan in place to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduates, graduate students and postdoctoral researchers who will be supported by NSF to conduct research. Prior to finalizing an NSF award subject to the RCR Requirements, SPA will provide the Principal Investigator (PI) with a reminder notice of the NSF RCR requirements.

5.0 Consequences of Noncompliance.

5.1 In addition to any institutional or State Board of Higher Education consequences for failing to comply with the RCR requirements, NDSU or individuals at NDSU can be debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from requesting or receiving funding from the NSF or other federal agencies. Other possible actions include letters of reprimand, ban from serving as reviewers, fines and restitution.

Contact

~~Dr. Charlene Wolf-Hall~~Kelly A. Rusch, Ph.D., P.E.
Research Integrity Officer (RIO)
Responsible Conduct of Research Program
~~Charlene.Hall@ndsu.edu~~Kelly.Rusch@ndsu.edu
701-231-~~6387~~ 6542

HISTORY:

New	February 5, 2010
Amended	October 21, 2010
Housekeeping	September 29, 2011

Policy 350.3 Version 06/09/2015

Policy Change Cover Sheet

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

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

SECTION: 350.3 **BOARD REGULATIONS ON NONRENEWAL~~;~~, TERMINATION OR DISMISSAL OF FACULTY**

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

- Is this a federal or state mandate? ☐ Yes X☐ No
- Describe change: Correcting the punctuation in the policy title. The semi-colon following the word nonrenewal should be a comma. (housekeeping change)

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

- Kelly Hoyt, former SCC Secretary
- kelly.hoyt@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	6/12/15
Faculty Senate:	6/12/15
Staff Senate:	6/12/15
Student Government:	6/12/15
President's Cabinet:	6/12/15

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North Dakota State University
Policy Manual

SECTION 350.3
BOARD REGULATIONS ON NONRENEWAL~~;~~, TERMINATION OR DISMISSAL OF FACULTY

SOURCE: SBHE Policy Manual, Section 605.1, 605.2, 605.3, 605.4

1. A probationary appointment may be terminated, without cause, with notice to the faculty member that the appointment will not be renewed.

   a. Notice shall be given:

      1) At least 90 days prior to termination during the first year of probationary employment at the institution.

      2) At least 180 days prior to termination during the second year of probationary employment at the institution.

      3) At least one year prior to termination after two or more years of probationary employment at the institution.

      If a faculty member is appointed during the academic year, then the initial contract shall indicate when the first academic year of service at the institution begins. For the purpose of this section, "academic year of service" means on a probationary appointment. The twelve months notice may be given at any point during the calendar year and the appointment terminates twelve months thereafter. (This NDSU language clarifies the interpretation that has been applied to this NDUS language throughout the University System.)

   b. A department chair, dean or other person authorized under institution policies to give such notice shall provide written notice of the decision, including a reference to the policy section pursuant to which the action is taken. The faculty member may within ten calendar days after receipt of the notice request a reconsideration by the deciding body or individual. The faculty member may incorporate a request for mediation in the request for reconsideration. The institution shall respond in writing to the faculty member within ten calendar days after receipt of the request. *Nonrenewal decisions shall be made in every instance by the University President. Recommendations for nonrenewal shall be initiated within the academic unit in accordance with Policy 352. Colleges shall have specific procedures for nonrenewal recommendations prior to the sixth year in accordance with Policy 352 and 350.3.2 (See below.). A department chair may initiate a review for nonrenewal at any time.*

2. An institution may terminate a probationary appointment, effective at the end of any contract term, with no less than 90 days notice of nonrenewal, based upon a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses. The notice of nonrenewal shall include a reference to the policy section pursuant to which the action is

taken. When a probationary appointment is terminated pursuant to this subsection, the provisions of subsection 1 do not apply.

3. A special appointment expires at the end of the term stated on the contract and may be renewed at the discretion of the institution. The decision to renew or not renew a special appointment is not reviewable under subsection 4 of this policy; it is, however, reviewable under Policy 353: Grievances – Faculty. Additionally, a special appointment may be terminated prior to the term stated on the contract. A decision to terminate a special appointment prior to the term stated on the contract is reviewable pursuant to subsection 4 of this policy. (See Policy 350.1, 4c.)

4. A faculty member on probationary or special appointment may, within twenty calendar days after receipt of notice of nonrenewal of a probationary appointment or termination of a special appointment or, if the faculty member requests reconsideration or the parties agree to mediation under paragraph b of subsection 1, within twenty calendar days of receipt of the results of the reconsideration or conclusion of mediation, request review of the decision and hearing by Standing Committee on Faculty Rights by filing written notice with the deciding body or individual and the chair or senior member of the Standing Committee on Faculty Rights. The request for review may be based on allegations that the institution failed to comply with applicable policies or gave the decision inadequate consideration, or that the nonrenewal decision violated (a) academic freedom, (b) rights guaranteed by the United States Constitution, or (c) terms of the employment contract or other written agreement. The allegation must be supported by a specification of the reasons why the decision violated these rights and a summary of the evidence supporting the allegation(s). The institution shall, within twenty calendar days of receipt of the written notice and specifications, provide a written response to the faculty member and the chair of the Standing Committee on Faculty Rights.

5. A faculty member may terminate an appointment effective at the end of the term of the appointment by giving notice in writing at the earliest possible opportunity, but not later than May 15, or one month after receiving notification by the institution of the terms of an appointment for the coming academic year, whichever date occurs later. The faculty governance structure at an institution may recommend procedures permitting a faculty member to request a waiver of this deadline in case of hardship or for other good cause defined by those procedures. An institution may provide that failure without reasonable cause by a faculty member to return a contract by the time set forth in the contract shall constitute a resignation. Any return time so established by the contract shall be reasonable.

   Resignation or Retirement
   Generally accepted standards of professional ethics (see AAUP Statement on Recruitment and Resignation of Faculty Members) require faculty members who plan to resign or retire to give prompt notice in writing to their chair or supervisor. This includes prompt notice when employment is accepted elsewhere. Only in personal emergencies or for other compelling reasons, should faculty members leave during the academic year, except when this coincides with the expiration of their contractual obligations.

6. An institution may terminate an appointment of a tenured faculty member following a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of academic units or program areas, or elimination of courses. In such cases, significant consideration shall be given to length of service and tenure status in the retention of faculty members within the affected academic unit or program area, curriculum requirements, professional achievements, breadth of competence, and equal employment opportunity. A tenured faculty member terminated pursuant to this subsection shall be

given written notice of termination, including the reason(s) for the action, at least twelve months prior to the date of termination. Each institution shall establish procedures for implementing this policy.

a. A tenured faculty member given notice of termination under this section may request that the institution circulate his or her vita to other academic units or program areas within the institution. In addition, the institution shall ensure that fair consideration is given to the faculty member, during the period of the terminal appointment, for vacant academic positions in the employing institution for which the faculty member is qualified. The faculty within any academic unit or program area shall have the major responsibility in determining qualifications for appointment therein. If a tenured faculty member accepts an appointment in a different academic unit or program area, the faculty member shall retain his or her tenure status, subject to approval of the Board.

b. A position terminated under this section shall not be filled by a replacement within two years, unless the released faculty member has been offered appointment with tenure and a reasonable time within which to accept or decline it.

c. The provisions of section 605.4 *(NDSU 350.4)* do not apply when a tenured faculty member is terminated under this subsection. The faculty member may, however, within twenty calendar days of receipt of notice of termination, file a request for review under processes established at the institution for that purpose.

1) *An administrative decision to terminate a tenured faculty member within the university shall be preceded by the following steps:*

a) *Consultation with the dean of the college or equivalent unit involved regarding the justification for terminating tenured appointments.*

b) *Consultation with the faculty and the relevant PTE committee in an academic unit or program regarding the termination of tenured appointments.*

2) *Once the administration decision is finalized following these consultations, the identification of faculty members for termination shall be made by the University president following recommendations by the dean.*

7. In accordance with section 305.1 of these policies, the faculty governance structure at each institution shall adopt procedures by which faculty participation is solicited before notice of termination is given any tenured faculty member pursuant to subsection 6. Faculty participation shall be solicited concerning:

a. The extent to which there are grounds for termination of tenured appointments;

b. Judgments determining where within the overall academic program termination of appointments may occur; and

c. The procedure and criteria for identifying the individuals whose appointments are to be terminated.

1) *An administrative decision to terminate a tenured faculty member within the university shall be preceded by the following steps:*

a) *Consultation with the Executive Committee of the Faculty Senate regarding the extent to which there are grounds for termination of tenured appointments.*

b) *Consultation with the Academic Affairs committee of the University Senate regarding the justification for terminating tenured appointments, if that is a consequence of the decisions; and*

c) *Consultation with the Academic Affairs committee, or the equivalent, of the college or equivalent unit involved regarding the justification for terminating tenured appointments.*

d) *Consultation with the faculty in an academic unit or program regarding the consequences of the decision.*

2) *Once the administration decision is finalized following these consultations, the identification of faculty members for termination shall be made by the University president following recommendations by the dean.*

8. A faculty member may be dismissed at any time for adequate cause. Adequate cause means: (a) demonstrated incompetence or dishonesty in teaching, research, or other professional activity related to institutional responsibilities, (b) continued or repeated unsatisfactory performance evaluations and failure to respond in a satisfactory manner to a recommended plan for improvement; (c) substantial and manifest neglect of duty, (d) conduct which substantially impairs the individual's fulfillment of his or her institutional responsibilities or the institutional responsibilities of others, (e) a physical or mental inability to perform assigned duties, provided that such action is consistent with laws prohibiting discrimination based upon disability, or (f) significant or continued violations of Board policy or institutional policy, provided that for violations of institutional policy the institution must notify the faculty member in advance in writing that violation would constitute grounds for dismissal, or the institutional policy must provide specifically for dismissal as a sanction.

a) An authorized institution officer shall give written notice of intent to dismiss and specify the reasons for the action. The officer may, in the officer's discretion, also schedule a meeting with the faculty member to discuss the action. The notice shall state that the officer will forward to the institution president a recommendation to dismiss unless the faculty member, within twenty calendar days of receipt of the notice, requests a hearing before the Standing Committee on Faculty Rights. If the faculty member does not make a timely request for a hearing, the president, upon receipt of a recommendation to dismiss, shall make a decision and provide written notice and reasons for the action to the faculty member within ten business days of receipt of the recommendation.

1) *Written notice of the intent to terminate or dismiss shall be given to the faculty member.*

2) *Appropriate administrative officers include the academic unit or program chair and the dean of the college or equivalent unit.*

The written notice of termination or dismissal from the President must in any event be given within 60 days of the initial written notice of intent to terminate or dismiss.

b) A faculty member may, within twenty calendar days of receipt of notice of intent to forward to the institution president a recommendation to dismiss, request for a formal hearing before the Standing Committee on Faculty Rights, pursuant to section 605.4. *(NDSU 350.4)*

c) Pending a final decision on dismissal for adequate cause, the faculty member may be suspended by the institution's president, or assigned to other duties in lieu of suspension, if it is reasonably determined that it is in the best interests of the faculty member or the institution to do so. The faculty member's salary and fringe benefits shall continue during a period of suspension. Salary and benefits shall be terminated upon a final decision by the institution president to dismiss the faculty member following conclusion of proceedings at the institution.

9. If the administration determines that the conduct of a faculty member, although not constituting ground for termination or dismissal, provides reasonable cause for imposition of a sanction, the administration shall inform the faculty member in writing of the sanction and the reasons for the sanction. A sanction means demotion, suspension (but not including suspension pending a dismissal or termination decision), salary reduction or loss of salary, or restriction or loss of privileges imposed as a formal disciplinary measure. A sanction does not include implementation of an improvement plan or performance action plan or negative comments in a performance review, letter of reprimand or other document placed in a personnel file; rights to respond to a performance review or a letter of reprimand or other document placed in a personnel file are set forth in N.D.C.C. , 54-06-21 and institution grievance procedures adopted under SBHE Policy 612. If the sanction is imposed following a hearing by the Standing Committee on Faculty Rights and based on the hearing record, there is no further review. If the sanction is imposed without a hearing, the faculty member may request review upon filing with the institution's president and chair or senior member of the Standing Committee on Faculty Rights a request for review and specifications of reasons within twenty calendar days of receipt of notice of imposition of a sanction. The institution shall have twenty calendar days following receipt of the request for review to file a response. The Standing Committee on Faculty Rights shall review the matter according to procedures established at the institution for that purpose and issue a written report within twenty calendar days of receipt of the institution's response and may make a recommendation to resolve the dispute, stating its reasons. The institution shall make its final decision upon reconsideration and provide written notice of that decision to the faculty member within ten days of receipt of the report and recommendation of the Standing Committee on Faculty Rights. Upon filing of a request for review pursuant to this subsection, imposition of the sanction shall be suspended pending a final decision of the institution's president following conclusion of those proceedings.

HISTORY:
Replaces portions of Policy 605, SBHE Minutes April 25, 1995, pg 6554.

Amended	April 25, 1995
Amended	July 1, 1996
Amended	January 1997
Amended	October 1998
Amended	February 2001
Amended	June 2003
Amended	August 2003
Amended	March 2004
Amended	February 2005
Amended	November 2005

Amended	March 2010
Housekeeping	February 14, 2011
Housekeeping	February 27, 2012
Amended	March 5, 2012

Policy *708* Version 1 *06/09/2015*

Policy Change Cover Sheet

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

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

SECTION: 708 Campus Maintenance and Service Requests

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

- Is this a federal or state mandate? ☐ Yes x☐ No
- Describe change: Policy 708 is incorrectly titled ACCESS CONTROL AND BUILDING SECURITY, which is the name for Policy 707. This is to correct the title of Policy 708 to CAMPUS MAINTENANCE AND SERVICE REQUESTS. (housekeeping change)

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

- Kelly Hoyt, former SCC Secretary
- kelly.hoyt@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	6/12/15
Faculty Senate:	6/12/15
Staff Senate:	6/12/15
Student Government:	6/12/15
President's Cabinet:	6/12/15

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

North Dakota State University
Policy Manual

SECTION 708
~~ACCESS CONTROL AND BUILDING SECURITY~~CAMPUS MAINTENANCE AND SERVICE REQUESTS

SOURCE: NDSU President

1. The Facilities Management department is responsible to operate, manage, repair and clean all academic and administrative (defined by the State Board of Higher Education as Type I and II) buildings and common building systems, basic classroom furniture/equipment, and appurtenances (accessories) in public areas. Office furnishings are the responsibility of the occupying department.

    1.1 Report all maintenance problems by calling the Facilities Management department at 231-7911.

2. A department requiring special equipment, unique to its discipline (including office equipment), must pay for its installation, maintenance, repair and replacement.

3. Departments requesting new cabinetry and/or repairs and renovations to cabinetry will be billed for both the costs of material and labor.

4. General grounds and landscape services are the responsibility of Facilities Management.

    4.1 Specialized grounds, turf and landscape services will be billed to the requesting department for both the costs of material and labor.

5. Requests for specific departmental services must be made on a Facilities Management service request form. Forms are available at http://www.ndsu.edu/facilities/.

6. Effective July 2003, all new operating costs for non-academic/administrative (defined by State Board of Higher Education as Type III) buildings will be funded by the functional unit that operates the building.

7. For more details and building types defined, visit Facilities Management web site at: http://www.ndsu.edu/facilities/.

HISTORY:

New	July 1990
Amended	July 1993
Amended	January 2008

Policy *817* Version 1 *06/09/2015*

Policy Change Cover Sheet

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

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

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

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

- Is this a federal or state mandate? ☐ Yes ☒ No
- Describe change: This change adds how Sponsored Academic Project Agreements will be handled, they are not currently reflected in the policy. Sponsored Programs has developed related Agreement forms.

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

- Office/Department/Name and the date submitted: Grant & Contract Accounting/Ann Young & Gary Wawers and Sponsored Programs Administration Joycelyn Lucke Love
- Email address of the person who should be contacted with revisions joycelyn.lucke@ndsu.edu, gary.wawers@ndsu.edu and ann.young@ndsu.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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North Dakota State University Policy Manual

SECTION 803
RESTRICTED GIFTS VS. GRANT POLICY

SOURCE: NDSU President

1. Financial support from any external agency will be classified as a grant or contract if any of the following criteria are met (except as specifically noted below in 803.4):

1.1 any written document has been executed regarding the specific use of the funds beyond a broad programmatic designation, or
1.2 any technical reports are requires by the sponsoring agency, or
1.3 a financial report is required by the supporting agency, or
1.4 the work being done has the possibility of producing intellectual property, i.e., patents and copyrights
2. Financial support not meeting any of these criteria may be classified as a gift. Gifts will be classified as either restricted or unrestricted.

2.1 For gifts to the Agriculture Division, the Agriculture Budget Office will first review the documentation. If the documentation shows it to be a gift restricted to a program, or more specific restriction, the gift will be classified as restricted and forwarded to the Grant and Contract Accounting Office for deposit in a restricted gift fund. If the gift terms do not meet the restricted gift test, the gift will be considered unrestricted and deposited to an institutional collection fund.
2.2 For non-agriculture related gifts, the Grant and Contract Accounting Office will review and analyze the documentation. If the documentation indicates the gift is restricted to a program, or more specific restriction, it will be classified as restricted and deposited in a restricted gift fund. If the gift terms do not meet the restricted gift test, the gift will be considered unrestricted and deposited in an unrestricted local fund.
3. When gift funds held at the NDSU Development Foundation are scheduled for expenditure in support of the donor's criteria, the necessary funds will be transferred to the University account established for such purpose. The Foundation cannot originate payment for normal University functions since these expenditures belong on University accounts.
4. As an exception to 803.1, any financial support received from an external agency for the support of an undergraduate, for-credit, academic design course project (Capstone or Senior Design) does not need to be routed through Sponsored Program Administration but should be sent directly to Grant and Contract Accounting for deposit into a restricted fund.

HISTORY:

New	July 1990
Amended	April 1992
Amended	August 2007
Amended	October 2009

Policy Change Cover Sheet

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SECTION: 817 Cost Corrections

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

- Is this a federal or state mandate? ☐ Yes x☐ No
- Describe change: Policy 817 is incorrectly titled REBUDGETING ON SPONSORED AGREEMENTS, which is the name of Policy 816. This is to correct the title for Policy 708 to COST CORRECTIONS. (housekeeping change)

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

- Kelly Hoyt, former SCC Secretary
- kelly.hoyt@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	6/12/15
Faculty Senate:	6/12/15
Staff Senate:	6/12/15
Student Government:	6/12/15
President's Cabinet:	6/12/15

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SECTION 817
~~REBUDGETING ON SPONSORED AGREEMENTS~~COST CORRECTIONS

SOURCE: NDSU President

1. All cost corrections involving the transfer of charges made on grant and contract funds (Funds 40000-49999) will be completed by the Office of Grant and Contract Accounting by means of a journal entry. All corrections of clerical and bookkeeping errors should be made in a timely manner. When a correction is necessary, a memo should be submitted to the Office of Grant and Contract Accounting. The memo must contain the following items:

   A) an explanation of how the error occurred;
   B) a justification of the charge being paid by the new agreement being charged;
   C) the reference number of the original payment being corrected; and
   D) the fund numbers of the fund being credited and the fund being charged.

   1.1 If the correction is for salaries and wages paid to individuals, include the following information:

   A) an explanation of how the error occurred;
   B) a justification of the charge being paid by the new agreement being charged;
   C) the name of each individual being corrected;
   D) the month or months of pay and the percentage of time, if not 100%, being corrected;
   E) the fund numbers of the fund being credited and the fund being charged.

NOTE: A correction to an individual's salary must also be reflected on the individual's Personal Activity Confirmation for the month or months being corrected. The Office of Grant and Contract Accounting will return the Personal Activity Confirmation form for recertification at the time the correction is made.

HISTORY:

New	July 1990
Amended	April 1992
Amended	June 1996
Amended	August 2007

Present GE	
Present GE Outcomes	
Communicate effectively in a variety of contexts and formats, using a variety of communication skills.	
Locate and use information for making appropriate personal and professional decisions.	
Comprehend the concepts and perspectives needed to function in national and international societies.	
Comprehend intrapersonal and interpersonal dynamics.	
Comprehend concepts and methods of inquiry in science and technology and their applications for society	
Integrate knowledge and ideas in a coherent and meaningful manner.	
Comprehend the need for lifelong learning.	
PRESENT GE MODEL	Credits
First Year Experience (189)	1
Communication	12
• ENGL 110 (3 credits)	
• ENGL 120 (3 credits)	
• COMM 110 (3 credits)	
• Upper Level Writing (3 credits)	
Quantitative Reasoning	3
Science & Technology	10
• Must include 1 credit lab	
Humanities & Fine Arts	6
Social & Behavioral Sciences	8
• Includes 2 credits of Wellness	
Cultural Diversity	
• Embedded—no additional credit	
Global Perspectives	
• Embedded—no additional credit	
Capstone Course in major—no additional credit	
Total Credits	**40**

PROPOSED GE: NDSU QUEST	
Core Questions	
How does the world work?	
What does it mean to be human?	
How do we create, expand, or discover knowledge and understand its limitations?	
What values and practices are worth sustaining for the common good?	
What are the world's challenges and how might they be addressed?	
Core questions approved by the Senate 4/8/13 New outcomes approved by the Senate 4/14/14	
PROPOSED GE MODEL	Credits
Communication	12
• ENGL 120 (3 credits)	
• COMM 110 (3 credits)	
• Applied Oral Communication Modules or Course (1+1+1 or 3 credits) (200 level)	
• Upper Division Writing (3 credits)	
Critical Thinking, Creative Thinking, and Problem Solving	9
• Critical Thinking (3 credits) (Student Success removed)	
• Quantitative Methods (3 credits)	
• Advanced Critical Thinking in major (3 credits)	
Technology	3
Natural & Physical Sciences (includes 1 credit lab)	7
Human Societies	6
Diversity & Global Perspectives	3
Personal & Social Responsibility—no additional credit	
• Embedded in major or met through a QUEST approved course that includes this learning outcome	
Capstone Course in major—no additional credit	
Optional theme-based Interdisciplinary minor, certificate or path, based on QUEST courses, as way to connect QUEST courses	
• Sustainability, Innovation, World Hunger, Gender Studies, Grand Challenge Scholars, etc.	
Total Credits	**40**

Breadth Requirement: In addition to ENGL 120 and COMM 110, students must complete 12 QUEST credits outside their majors.

Revised 04/09/15

Proposed GE (NDSU QUEST): Revised Draft Model

Key to abbreviations: Core Questions (CQ)
HWW = How does the world work?
HDC = How do we create, expand, or discover knowledge and understand its limitations?
WDH = What does it mean to be human?
WVP = What values and practices are worth sustaining for the common good?
WWC = What are the world's challenges and how might they be addressed?

Foundation/Lower Division 34 Credits

Core Learning Outcome	***Component***	***Credits***	**Core Questions**	***Note***
Communication	Written (ENGL 120)	3	HDC	Students will still get credit for ENGL 110 for transfer purposes, but ENGL 110 will not be part of NDSU QUEST
	Oral (COMM 110)	3	HDC	
	Applied	1+1+1	HDC	Applied QUEST communication experiences designated by major. May be existing courses or additional credits for courses or independent 1 credit modules/workshops. COMM 110 & ENGL 120 are pre-requisites
Critical Thinking, Creative Thinking, and Problem Solving	Critical Thinking (First Year Experience/ Student Success removed)	3	HDC	Any QUEST course that meets the critical thinking learning outcomes. Courses will help students understand how scholars analyze evidence to develop theories to address problems. Most courses will either a) examine how a discipline makes sense of the world [e.g. "thinking like a chemist"] or b) focus on a so-called "wicked problem" or issue [e.g. "thinking about world hunger" "thinking about race through literature"].
	Quantitative Methods	3	HDC, HWW	Any QUEST course that meets the Critical Thinking Learning Outcome bullet "apply quantitative and qualitative methods to collect and analyze data."
Technology		3	HWW, HDC	QUEST course designated by major
Natural and Physical Sciences		7	HWW, HDC	QUEST courses designated by major. Must include a one credit (or equivalent) laboratory employing active learning.
Human Societies		6	HWW, WDH, HDC	QUEST courses designated by major
Diversity and Global Perspectives		3	HWW, HDC, WWC	QUEST course designated by major
Personal and Social Responsibility		0	HWW, WVP	Embedded in major or met through a QUEST approved course that includes this learning outcome

Upper Division

Core Learning Outcome	***Component***	***Credits***	**Core Questions**	***Note***
Communication	Upper Division Writing	3	HDC	QUEST course designated by major. COMM 110 & ENGL 120 are pre-requisites
Critical Thinking, etc.		3	HDC + major appropriate	Any approved upper division course in the major (including the capstone) that meets the Critical Thinking outcome.
Communication + Critical Thinking, etc.	Capstone	3	HWW, HDC, WVP, WWC	Integrated into major. May meet the advanced critical thinking outcome for the major (see above).

Optional Pathways

Optional Theme-based Minor	Integrated	16	Integrated	Foundation in QUEST for interdisciplinary options such Sustainability, Innovation, World Hunger, Great Books and Great Ideas. May be completed by non-Quest courses.
Optional Theme-based Certificate	Integrated	16	Integrated	Foundation in QUEST for interdisciplinary options such as Sustainable Design. May be completed by non-Quest courses.
Optional Path	Integrated		Integrated	Foundation in QUEST for applied and experiential learning.

Breadth Requirement: In addition to ENGL 120 and COMM 110, students must complete 12 QUEST credits outside their majors.

Revised 04/08/15

Date: April 9, 2015

To: Members of the NDSU Community

From: Core Undergraduate Learning Experiences (CULE)

RE: Revised QUEST model for new General Education

To begin with, CULE thanks everyone for participating in the multiple stages of this process that began in the fall of 2010. As part of this process CULE:

- Held open-ended meetings on GE revision with 40 units and 460 individuals
- Received 1370 responses from alumni, employers, faculty, staff and students to a survey asking respondents to rate 29 student learning outcomes in terms of how well NDSU students are currently addressing each one and how important each outcome will be in the future
- Used Institutional Research's qualitative analysis of the results of six surveys administered over the past decade to triangulate with and confirm the CULE survey results
- Held 14 campus meetings on the proposed Core Questions and Learning Outcomes
- Held 13 campus meetings, attended by over 300 people, on the proposed QUEST model
- Received 304 responses (with 129 comments) from faculty to a survey about the new QUEST model

Based on the feedback, CULE proposes six changes to the QUEST model:

1. Critical Thinking and Student Success
    - University 189 will no longer be a general education course, although many colleges or departments may wish to continue it as a requirement to meet the needs of their students.
2. Critical Thinking
    - Critical Thinking classes will be new or restructured courses that focus on how disciplines make sense of the world or particular issues (world hunger, social inequality, justice, beauty, love, entropy, climate change, sustainability, clean water, renewable energy, etc.)
        - Courses could be disciplinary or cross-disciplinary and could be offered by any college or department (or combination of departments), but they must
            - address the Critical Thinking outcome as a substantial part of student work
            - teach the critical thinking skills employed by the discipline or needed to understand the problem or issue and
            - address at least one of the Core Questions.
        - There will need to be professional development funding to support this.
3. Natural and Physical Sciences
    - Added a one-credit (or equivalent) laboratory experience with the stipulation that the laboratory must involve active or problem-based learning.
4. Natural and Physical Sciences
    - Increased from 3 credits to 6 in didactic classes.
5. Personal and Social Responsibility
    - This will be double-counted by being embedded in the major or met through a QUEST approved course that includes this learning outcome. There will be no separate credits required for this outcome.

6. Breadth
    - Students must complete 12 QUEST credits outside their major, in addition ENGL 120 and COMM 110.

Based on the feedback to the proposed QUEST model, CULE proposes three changes to the previous Undergraduate Learning Outcomes to support the fullest participation by disciplines in the new model:

1. Technology
    - Revised to emphasize applying, not just analyzing
2. Natural and Physical Worlds
    - Revised to Natural and Physical Sciences
3. Personal and Social Responsibility
    - Revised to allow more options for students

CULE also proposes the following steps.

1. CULE requests the Faculty Senate to approve the concept of the revised QUEST model this spring, contingent upon these three steps.
    a. The Provost will appoint a QUEST Feasibility Committee to analyze the resources needed to implement the model. This committee should be composed of at least two deans and three department chairs.
    b. The Provost will appoint a QUEST Design/Professional Development Committee to develop specific models for the proposed new Critical Thinking courses and the proposed Applied Communication modules. This committee should include one or more of the course design professionals recently hired in several of the colleges.
    c. Based on reports from the QUEST Feasibility and Design/Professional Development Committees, the Faculty Senate will give the final approval to implementing the new QUEST model at an appropriate starting date.
2. CULE will be dissolved as an ad hoc Faculty Senate committee.
3. The General Education Committee will be charged with implementing the new QUEST model and assessing it in order to make revisions and improvements on an ongoing basis.

CULE Members:
Cole Davidson, Registration (9/13-09/14); Noah Engels, Students (09/14-present); Marion Harris, AFSNR (08/10-present); Robert Harrold, Assessment (08/10-12/11); RaNelle Ingalls, Student Affairs (08/10-present); Rajesh Kavasseri, Engineering (08/10-present); Andrew Mara, AHSS (08/10-present); Kevin McCaul, Deans (08/10-08/12); Charlene Myhre, Libraries (08/10-08/13); Cynthia Naughton, PNAS (08/10-present); Lisa Nordick, DCE (08/10-12/14); Larry Peterson, Provost/Assessment (08/10-present); Seth Rasmussen, Science & Math (08/10-present); Susan Ray-Degges, HDE (08/10-present); Kent Sandstrom, Deans (09/12-present); Carolyn Schnell, University Studies (08/10-present); Herbert Snyder, Business (08/10-present); Amy Rupiper Taggart, General Education (01/14-present); Beth Twomey, Libraries (09/13-present); Kevin Walsh, Students (09/13-05/14).

CULE proposal	Senate additions	Order
1. CULE requests the Faculty Senate to approve the concept of the revised QUEST model this spring, contingent upon these three steps.		4
a. The Provost will appoint a QUEST Feasibility Committee to analyze the resources needed to implement the model. This committee should be composed of at least two deans and three department chairs.	**Quest Feasibility Committee:** Appointment: with input from the Provost as senate *ad hoc* committee, will report to senate and Provost Membership (all approved by faculty senate): voting members, 1 to 2 faculty members from budget committee, 2 senate appointed faculty, other faculty who have relevant experience; non-voting members, 1 dean, 1 head, Provost or designee, possibly Registrar or designee; other members, 2 members from former CULE committee (will fall either under voting or non-voting members according to their faculty status) Committee chair: faculty who was not formerly on CULE committee Charges: create operating procedures, assess feasibility and determine re-allocation of resources, assess compatibility with other NDUS institutions, amend current model accordingly or suggest alternative model	1
b. The Provost will appoint a QUEST Design/Professional Development Committee to develop specific models for the proposed new Critical Thinking courses and the proposed Applied Communication modules. This committee should include one or more of the course design professionals recently hired in several of the colleges.	**QUEST Design/Professional Development Committee:** Appointment: with input from the Provost as senate *ad hoc* committee, will report to senate and Provost Membership (all approved by faculty senate) Seeing as this committee will take up work later, we can fill in the details in Fall.	2
c. Based on reports from the QUEST Feasibility and Design/Professional Development Committees, the Faculty Senate will give the final approval to implementing the new QUEST model at an appropriate starting date.	Vote on outcome of the two committees in two independent procedures.	3
2. CULE will be dissolved as an *ad hoc* Faculty Senate committee.		Done
3. The General Education Committee will be charged with implementing the new QUEST model and assessing it in order to make revisions and improvements on an ongoing basis.		5

Rationale for NDGEC Proficiency Statements

Last edited 6 January 2015

The North Dakota General Education Council (NDGEC) began as a grassroots, faculty-led organization whose primary goals were to improve articulation and transfer of general education courses among North Dakota higher learning institutions--including public and many participating private and tribal universities--and to provide a common forum for discussing common general education issues in the state. During that time, the Association of American Colleges and Universities (AAC&U) developed the Liberal Education and America's Promise (LEAP) initiative which articulated a set of Essential Learning Outcomes (ELOs) developed with feedback from faculty across the country. By 2010, the NDGEC helped North Dakota to become recognized as a LEAP State by AAC&U. The North Dakota University System (NDUS) agrees with the LEAP initiative, and over the last several General Education Summits the NDGEC has endorsed five of the ELOs as statewide outcomes: written communication, oral communication, critical and creative thinking, quantitative reasoning, and breadth of knowledge.

North Dakota higher learning institutions have benefitted from the General Education Requirement and Transfer Agreement (GERTA), which ensures transferability of common courses from one institution to another. Recently, the Western Interstate Commission for Higher Education (WICHE) began the Interstate Passport Initiative, a new approach to transfer that shifts focus from credit hours and course descriptions to student learning outcomes. The Lumina Foundation, with strong support from AAC&U and various accreditation agencies, including the Higher Learning Commission, also promotes competency-based education to ensure students are acquiring outcomes and achieving goals associated with their degree profiles. Working with the Lumina Foundation, AAC&U established the Quality Collaborative, inviting North Dakota to participate through the NDGEC. Over the last two years, NDGEC members began aligning student-learning outcomes with degree proficiency profiles.

As stewards of general education in North Dakota, the NDGEC has developed proficiency statements corresponding to the five ELOs approved at the General Education Summit at Bottineau at April 2014. These proficiency statements clarify outcomes students should have demonstrated upon completion of general education and discipline program requirements at the two-year level. As indicators of competency-based education, student transcripts in the future might contain notations that students have established proficiency in any or all of these five ELOs, subject to the endorsement of the authorizing institution pursuant to internal policies in compliance with NDUS 403.7. Such transcript notations will be in addition to existing endorsements in compliance with GERTA.

NDGEC continues to serve as an advisory board to its member institutions, the NDUS, and independent and tribal colleges in North Dakota. Approval of these proficiency statements as endorsed by NDGEC supports North Dakota's existing commitment to faculty-led oversight of General Education while maintaining autonomy of NDGEC member institutions to oversee assessment and documentation of their existing student learning outcomes.

General Education Proficiency Statements
Developed by NDUS Faculty, Fall 2014
Last edited December 8, 2014

Oral Communication

Oral communication involves actively and critically expressing and receiving ideas through spoken language with the goal of achieving shared understanding of meaning.

Students who are proficient in oral communication will be able to:

- Organize a clear central message, using supporting evidence ethically and logically
- Communicate a message effectively, demonstrating ability to adapt language and delivery based on audience and purpose
- Listen to and evaluate a speaker's central message and use of supporting evidence
- Initiate and negotiate effectively in a collaborative setting by listening to, building upon, verifying, and challenging others' ideas and conclusions

Quantitative Literacy

Quantitative literacy involves fluency with the tools and concepts that are commonly used to understand, analyze, and reason with quantitative information.

Students who are proficient in quantitative literacy will be able to:

- Perform the arithmetic processes necessary to solve quantitative problems
- Present accurate interpretations of quantitative information on a wide array of topics and issues and explain how both calculations and symbolic operations are used
- Create accurate graphs or other visual interpretations of trends, relationships, or changes in status and correctly use them to provide written or oral explanations
- Reason with appropriate numeric, symbolic, graphical or statistical tools to understand a wide variety of issues, and to interpret, analyze and critique information or a line of reasoning presented by others
- Develop and support a line of reasoning about issues that are not solely mathematical by correctly using quantitative information

Written Communication

Written communication requires students to write effectively, individually and collaboratively, in a variety of genres to address different audiences for specific purposes, using sources and evidence appropriate to the context. It can involve working with many different writing technologies, and mixing texts, data, and images. Written communication abilities develop through iterative experiences across the curriculum.

Students who are proficient in written communication will be able to:

- Effectively use genres, such as essays, reviews, lab reports, case studies, memos, and blogs, appropriate to the context**CB**
- Adapt to the needs and expectations of different audiences**SG**
- Demonstrate the ability to write for different purposes, such as to inform, analyze, explain, and persuade **M**
- Integrate and cite credible and relevant sources**LP**
- Reflect on the writing process in order to improve**JK**
- Demonstrate acceptable control of language conventions, such as grammar, usage, style, and diction.

Breadth of Knowledge

Students who are proficient in breadth of knowledge will be able to:

- Describe how existing knowledge or practice is advanced, tested and revised in each of the four core field categories: Arts and Humanities, Communications, Math, Science, and Technology and Social Sciences
- Describe a key debate or problem relevant to each of the four core field categories, and explains the significance of the debate or problem to the wider society, and show how concepts from the core fields can be used to address the selected debates or problems
- Use recognized methods of each core field category studied, including the gathering and evaluation of evidence, in the execution of analytical, practical or creative tasks to be identified by threshold concepts
- Describe, evaluate, and interpret an important societal problem using threshold concepts from two of the core field categories

Critical and Creative Thinking

Critical and creative thinking are complementary cognitive processes that operate across disciplines. These processes include inquiry, analysis, evaluation, discovery, and invention applied to a situation, scenario, issue, or problem.

Students who are proficient in critical and creative thinking will be able to:

- Identify a problem or question and its component parts, recognizing relevant ideas, concepts, theories, or practical approaches
- Evaluate fundamental knowledge and issues associated with a situation or problem, identifying underlying assumptions and anticipating consequences
- Create possible approaches and processes to solving emerging problems or unscripted scenarios
- Transform ideas into new forms or innovative applications and explore complex issues in original ways

NDSU Faculty Senate

3:30 pm, 12 October 2015

Prairie Rose, Memorial Union

Agenda

I. Call to Order

II. Attendance

III. Approval of 14 September 2015 minutes

IV. Consent agenda

a. Academic Affairs Report (attachment 1)

b. Policy changes (attachment 2) (All housekeeping changes)
   - Policy 155 Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees
   - Policy 158 Acceptable Use of Communications Devices
   - Policy 159 Injury Claims Against NDSU and State Risk Financing
   - Policy 168 Reasonable Accommodation on the Basis of Disability – Guidelines for Employee Requests
   - Policy 326 Academic Misconduct
   - Policy 334 Field Trips
   - Policy 348 Instruction in the Responsible Conduct of Research
   - Policy 400 Purchasing – General Policies
   - Policy 608 Suicide Threat Response Policy
   - Policy 712 Contract Review
   - Policy 713.1 Litigation Hold

c. Policy changes (Information only)
   - Policy 100 Equal Opportunity and Non-Discriminatory Policy
   - Policy 112 Pre-Employment and Current Employee Criminal Record Disclosure
   - Policy 133 Educational Policy
   - Policy 143 Sick/Dependent Leave
   - Policy 171 Staff and Faculty Recruitment and Moving Expenses
   - Policy 347 Institutional Biosafety Committee
   - Policy 350.1 Board Regulations on Academic Freedom and Tenure; Academic Appointments
   - Policy 610 Missing Student Notification
   - Policy New 6XX Immunization Requirements
   - Policy 712.1 Legal Representation
   - Policy 716 Nonprofit Entities
   - Policy XXX Export Controls

Any Senator can request that an item on the consent agenda be placed on the regular agenda

V. Announcements

a. Dean Bresciani, President
b. Beth Ingram, Provost
c. Dennis Cooley, Faculty Senate President
d. Katie Gordon, Faculty Senate President-Elect
e. Gennifer Sprecher, Staff Senate President
f. Eric McDaniel, Student Government President
g. Larry Peterson, Accreditation

VI. Senate Committee Reports

VII. Unfinished Business (discussion)

a. Creating a system to monitor initiatives that affect faculty prerogative
b. Faculty listserv guidelines. (attachment 3)
c. Modifying bylaws
d. Personnel Management Training Committee
e. Policy and Procedure Review Committee
f. Feasibility Committee membership
    i. Jeanne Hageman, Faculty Senate, Faculty Senate Executive Committee, and former department head
    ii. Marion Harris, CULE member, faculty
    iii. Fariz Huseynov, Faculty Senate, Business
    iv. Carrie Anne Platt, Faculty Senate, AHSS
    v. Craig Schnell, Faculty Senate Budget Committee, faculty, and former provost
    vi. Scott Wood, Dean of Science and Math
g. Design Committee
    i. Nicholas Bauroth, Political Science
    ii. Mark Meister, AHSS
    iii. Anne Denton, SM
    iv. Rebecca Wood, HDE

VI. New Business

a. What are our priorities this year?
    - FSEC and FS orientation
    - The Nice policy
    - Anti-bullying policy
    - Policy 352 about double dipping and director issues.
    - Standardization of academic unit administrator: Head, permanent chair, rotating chair; or having more department input on what the academic unit has as an administrator.
    - Anything else?

VII. Adjourn

Academic Affairs Committee Report
For Faculty Senate Meeting on October 12, 2015

New Courses				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
HDFS	445	Topics in Family Science: (Sub-Topic)	3	Spring 2016
MIS	350	Enterprise Systems	3	Spring 2016
STAT	840	Introduction to Statistical Design and Analysis of Gene Expression Experiments	3	Spring 2016
Uniform	799	Master's Examination	1-6	Spring 2016

Course Inactivation				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
CME	409/609	Highway Construction	3	Spring 2016
CME	470/670	Information Technologies for Construction Managers	3	Spring 2016
CME	705	Building Construction	3	Spring 2016
CME	710	Managing for Quality in Construction Organizations	3	Spring 2016
CME	720	Geotechnical Construction	3	Spring 2016
CME	753	Concrete Design and Construction	3	Spring 2016
CME	775	Facilities Management	3	Spring 2016
CME	780	Construction Systems and Temporary Structures	3	Spring 2016
COMM	230	Basic Photography for the Mass Media	3	Spring 2016
COMM	486	Principles of Risk Communication	3	Spring 2016
CSCI	626	Introduction to Artificial Intelligence	3	Spring 2016
MICR	371	Dairy Cattle Health Management	1	Spring 2016
MICR	372	Sheep Health Management	1	Spring 2016
MICR	374	Swine Health Management	1	Spring 2016
MICR	375	Bison Health Management	1	Spring 2016
MICR	376	Feline Health Management	1	Spring 2016
MICR	377	Canine Health Management	1	Spring 2016

Course Changes								
From:				***To:***				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
ART	185	Digital Media	3	ART	185	**Design and Digital Media I**	3	Spring 2016
ART	285	Digital Media II	3	ART	285	**Design and Digital Media II**	3	Spring 2016
ART	385	Digital Media III	3	ART	385	**Design and Digital Media III**	3	Spring 2016
ART	485	Digital Media IV	3	ART	485	**Design and Digital Media IV**	3	Spring 2016
COMM	260	Principles of Internet Web-Based Design	3	COMM	260	**Introduction to Web Design**	3	Spring 2016
COMM	375	Principles and Practices of Advertising and Public Relations	3	COMM	375	**Principles of Strategic Communication**	3	Spring 2016
COMM	477	Research for Strategic Communication	3	COMM	**470**	Research for Strategic Communication	3	Spring 2016
COMM	482	Organizational Communication II	3	COMM	**483**	Organizational Communication II	3	Spring 2016
COMM	485	Crisis Communications in Public Relations	3	COMM	485	**Risk and Crisis Communication**	3	Spring 2016
HNES	190	Introduction to Sport and Recreation Studies	3	HNES	190	**Introduction to Sport Management**	3	Spring 2016
MICR	352L	General Microbiology Lab II	1	MICR	352L	General Microbiology Lab II	**2**	Spring 2016

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions				
Subject	**No.**	**Title**	**Prerequisite/Corequisite Change**	**Effective Term**
ANSC	444	Livestock Muscle Physiology	Prereq: CHEM 260	Fall 2016
ART	185	Design and Digital Media I	Desc: Introduction to digital technologies and their applications in design and visual arts.	Spring 2016
ART	285	Design and Digital Media II	Desc: Introduction to concepts and practices related to digital technologies and their applications in design and visual arts.	Spring 2016
ART	385	Design and Digital Media III	Desc: Development of concepts and practices related to digital technologies and their applications in design and visual arts.	Spring 2016
ART	485	Design and Digital Media IV	Desc: Development and application of concepts and practices related to digital technologies in design and visual arts through individual semester projects.	Spring 2016
COMM	260	Introduction to Web Design	Prereq: CSCI 114, CSCI 116, or CSCI 160	Spring 2016
HDFS	110	Introduction to Human Development and Family Science	Other Req: HDFS majors only.	Spring 2016

HDFS	462	Methods of Family Life Education	Prereq: HDFS 135, HDFS 242. Recommended: HDFS 341. Other Req: Junior or Senior standing; HDFS, FACS, or WGS majors or minors only.	Spring 2016
HNES	190	Introduction to Sport Management	Desc: This course is designed to introduce students to various concepts that make up the foundation and underlying principles of sport management. In addition, program expectations are covered and a focus is placed on professional development.	Spring 2016
MICR	475	Animal Virology	Prereq: None.	Spring 2016
PSYC	450	Computational Methods in Experimental Psychology	Prereq: PSYC 260 or PSYC 351.	Spring 2016
PSYC	461	Memory and Knowledge	Prereq: PSYC 260 or PSYC 351.	Spring 2016
THEA	365	Directing I	Prereq: THEA 161.	Spring 2016

New Special Topics (FYI)				
Subject	**No.**	**Title**		
WGS	399	Transnational Feminist Perspectives		Spring 2016

Policy *155* Version 1 *090815*

Policy Change Cover Sheet

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

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

SECTION: 155 Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping changes as follows:
     1) Replacing NDSU General Counsel with Office of the Provost
     2) Updating Dean of Student Life with Assistant Vice President/Dean of Student Life

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Provost Office on 8/25/15; Student Life Office on 9/8/15
   - Email address of the person who should be contacted with revisions: melissa.lamp@ndsu.edu; mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 155

ALCOHOL AND OTHER DRUGS: UNLAWFUL AND UNAUTHORIZED USE BY STUDENTS AND EMPLOYEES

SOURCE: NDSU President

SBHE Policy Manual, Section 918

1. NDSU complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the Drug Free Workplace Act of 1988, Public law 100-690 and the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, and 2 CFR § 182.215.

North Dakota State University has a genuine caring concern for the community in which it lives and for its people. For this reason, the university is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and the safety and welfare of all members of the university community.

This policy statement has been established because NDSU:

- is committed to changing the culture that perpetuates the misuse and abuse of alcohol and other drugs;
- is concerned with promoting the well-being of our community, including visitors to campus;
- believes that the solution to alcohol and other drug misuse and abuse will require a community solution.

The misuse and abuse of alcohol and other drugs represents a major health problem in the United States today and poses a serious threat to the health and welfare of the NDSU community. In addition, alcohol and other drug abuse consequences can limit career choices and achievement. NDSU has gathered data that demonstrates that high-risk drinking among students is significantly associated with violence, memory loss, driving under the influence (DUI), sexual assault victimization, lessening of academic performance, estrangement of social relationships and property damage. Studies outside the university show that alcohol misuse can result in serious bodily injury, illness, or death. This policy applies to all NDSU students and employees, as well as visitors to campus.

2. The State Board of Higher Education prohibits the possession, sale, dispensation, use or consumption of alcoholic beverages upon land or in buildings owned by the Board or its institutions. Exceptions may include the lawful possession of alcohol in family student residences, on-campus professional staff residences, fraternities and sororities (in certain circumstances), the President's residence, and other special exceptions as granted by the President or the President's designee. For the complete State Board of Higher Education policy see SBHE Policy 918: Alcoholic Beverages.

   The University prohibits the *unlawful or unauthorized* use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in University buildings, any public campus area, in University housing units, in University vehicles, or at any University affiliated events held on or off-campus, which are sponsored by students, employees and their respective campus organizations (including all fraternities and sororities).

   For NDSU employees, non-compliance with this policy could result in disciplinary action up to and including termination of employment (see section 5.2).

   For NDSU students and student organizations, non-compliance with this policy could result in disciplinary action up to and including suspension, expulsion or loss of status as a registered student organization (see section 5.1).

3. The University recognizes that chemical dependency and chemical abuse are concerns that can impact both academic success and work performance and there are assistance programs available to help individuals experiencing problems. When appropriate, NDSU personnel may refer students and employees to the NDSU Counseling Center or to agencies outside of NDSU for evaluation and/or treatment for alcohol or other drug related problems. As part of their benefit package, employees may access services through the Employee Assistance Program. Employees may refer students in need of services to the Counseling Center at (701) 231-7671. Faculty, staff, and students can access information on available drug and alcohol prevention programs the university offers by going to the Alcohol and Other Drug Prevention Programs website.

   3.1 Organizations are required, by Federal Regulation (2 CFR § 182.215), to not only publish a drug-free workplace statement, but also establish a drug-free awareness program for employees. Part of the drug-free awareness program is to inform employees regarding the dangers of drug abuse in the workplace. Information on the health risks of alcohol abuse and drug abuse can be found at the U.S. National Library of Medicine and the National Institute for Health. Additional information can be found at the Alcohol and Other Drug Prevention Programs website.

4. These guidelines apply to students, employees, and campus organizations, which include, but are not limited to registered student organizations under the Congress of Student Organizations. For information concerning applications of this policy, please consult the Assistant Vice President/Dean of Student Life (for students) or the University Human Resources/Payroll Director (for employees).

   4.1 Students and employees and their respective campus organizations may not use organizational or public funds (including general and special funds) for the purchase of alcoholic beverages or associated

permits.

4.2 Sale of alcoholic beverages by students, employees and their respective campus organizations is strictly forbidden. This is to include any action that can be remotely construed as alcohol sale such as charging admission to parties, passing the hat, selling empty cups, selling drink tickets, etc.

4.3 Off-campus activity conducted by students and employees, and their respective campus organizations shall not encourage excessive and/or rapid consumption of alcoholic beverages. The use of alcohol at any such events is expected to be lawful and low risk. Registered student organizations planning off campus events at which alcohol may be available must complete and file with the Student Activities Office the NDSU Event Risk Management Planning Notification Form. When planning an off-campus work related event where alcohol will be present, employees with questions about low-risk guidelines should contact the Director of Human Resources/Payroll, SGC Building.

4.4 University sponsored events that are held at locations off campus, and at which alcohol may be present, are required to adhere to this policy. In addition, if alcohol will be served at the event, the sponsor(s) of the event should ensure compliance with N.D.C.C. § 5-02-06(4) regarding individuals under twenty-one years of age at events where alcohol is served. Sponsors need to be aware of both potential civil and criminal liability for knowingly serving alcohol to minors or obviously intoxicated persons (N.D.C.C. § 5-01-06.1, § 5-01-09). Oversight of the distribution and consumption of alcohol is required at such events in order to manage risk. If the event is to be held on public grounds, e.g., Fargo parks, the sponsor(s) of the event is/are required to obtain the appropriate permit for the event per N.D.C.C. § 5-02-01.1(2) . See, for example, the Park District of the City of Fargo Alcoholic Beverage Policy.

4.5 Alcoholic beverages shall not be used as awards or prizes in connection with events or activities sponsored by students, employees and their respective campus organizations, on or off- campus.

4.6 The public display of advertising or promotion of the use of alcoholic beverages in University buildings or any other public campus area including all University owned housing areas is prohibited. This includes banners, lighted beer/liquor signs, and large inflatable advertising, etc. (Entities that lease commercial or research property from the university may be excluded. However, the University may, in these leases, include provisions that will assist in its effort to promote legal and safe use of alcohol and to change the culture that perpetuates alcohol and other drug misuse and abuse.)

4.7 Alcohol promotional activities including advertising shall not be associated with otherwise existing campus events, programs, or campus organizational functions on or off-campus. This includes, but is not limited to, such items as: cups, t-shirts, beverage can coolers, and any other items carrying alcohol/beer advertising.

4.8 Advertising of alcoholic beverages shall not appear in University controlled or affiliated publications (including University affiliated web sites). Advertising of establishments that sell alcohol may appear and must adhere to the following guidelines.*

*Student Media (Bison Information Network, The Spectrum, Thunder Radio)

NDSU student media (as governed by the Media Advisory Board (MAB)) is not subject to the advertising portion of this university policy due to first amendment provisions of the US Constitution and State Board of Higher Education Policy 507. Student media organizations are accountable to their established boards (MAB-Bison Information Network; Board of Student Publications-Spectrum, MAB-Thunder Radio) for standards of conduct. Because of the belief that advertising perpetuates the culture of high-risk and underage drinking, the established boards of NDSU Student Media may, if they choose to accept advertising for alcoholic beverages, decide to adopt guidelines compatible with this policy. Student Media organizations shall comply with all federal laws relating to advertising of alcohol or other drugs.

a) Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse nor shall it promote alcohol specials such as two for one, happy hour drink specials, or any ads that encourage rapid and extensive consumption of alcohol.

b) Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.

c) Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with the performance of tasks that require skilled reactions such as the operation of motor vehicles or athletic performance.

d) Advertising of establishments that sell alcohol shall include a statement of low-risk such as "know when to say when" or "please use our products legally and in a responsible manner".

4.9 Unless otherwise authorized by the President of the University, the use of alcoholic beverages during all events held on the NDSU campus is strictly forbidden (including concerts, theatrical performances, athletics events, workshops, etc.).

5. When students, student organizations, or employees violate University alcohol policy they will be subject to campus resolution. Campus resolution of such acts may proceed before, during, or after any pending civil or criminal proceedings are concluded. Since the campus actions are educational and/or managerial in nature, and not criminal proceedings, such simultaneous actions do not constitute double jeopardy and differing judgments may result.

5.1 Sanctions-Students and Student Organizations: Individual students and student organizations (including fraternities, sororities, residence hall associations and registered student organizations) who are found in violation of the University policy on alcohol and other drugs are subject to one or more of the following sanctions, dependent upon the severity of the violation and the existence or absence of prior alcohol or other drug violations: (For a more complete description of these sanctions and terms and conditions see Code of Student Behavior.)

5.1.1 No action (if alleged conflicts prove to be unfounded).

5.1.2. When a student has been found responsible for violating University policies, one or more of the following sanctions may be imposed:

a. Warning (oral or written).
b. Behavioral probation (with or without supervision).
c. Suspension.
d. Emergency suspension.
e. Expulsion.

5.1.3 With each sanction, other restorative actions or other terms and conditions may be assigned. In addition, notification may be given to other university officials as necessary. Terms and conditions include, but are not limited to:

a. Restitution.

b. Confiscation.

c. Restricted access to University facilities/removal from Residence Halls.
d. Loss of privileges (including status as a registered student organization).
e. Required participation in a specific program (i.e., counseling, drug and /or alcohol education).
f. Educational sanction/project (i.e., reflection paper or research).
g. Registration/Graduation Hold.

NOTE: These sanctions and terms and conditions need not necessarily be applied in any numerical sequence. Any sanction may be chosen from this list for any violation, dependent upon its severity, and the behavioral history of the involved student(s) or student organization.

Individual student behavioral actions and or student organization behavioral actions will be adjudicated as assigned by the Assistant Vice President/Dean of Student Life or designee.

Good Samaritan:

Students and student hosts have the responsibility to ensure the well-being of their guests wherever events occur. If an individual or guest needs emergency medical attention, students and student hosts are required to call an ambulance or other appropriate emergency personnel (ambulance, police, fire, etc.) to gain that assistance. Students and student hosts who fail to carry out this responsibility may be subject to serious university sanctions and may be potentially subject to additional civil and/or criminal liability. Students and student hosts who act properly and seek medical attention or police assistance will experience appropriate leniency in university sanctioning related to the event in which the medical emergency arose. See Code of Student Behavior.

Parental Notification:

Parents or guardians of students under 21 may be contacted by an NDSU student affairs administrator following alcohol and/or other drug related incidents:

- If a student is found responsible for violating the University's alcohol/drug policy that results in a University referral for assessments or evaluations for chemical dependency, and/or when University judicial sanctions of Behavioral Probation or greater are assigned.
- Based on situations that appear to endanger the health, safety, or life of other persons or the student.
- If an individual is involved in incidents that resulted in significant property damage.
- If a decision is made that it is in the best interest of a particular student to involve a parent or guardian to help address other significant life concerns related to illegal use of alcohol or other drugs.

See Student Life website for the full policy and rationale.

Financial Aid Eligibility:

A federal or state drug conviction can disqualify a student from receiving federal financial aid funds. The conviction must have occurred during a period of enrollment for which the student was receiving Title IV aid (i.e., Federal Pell Grant, Federal Perkins Loan, Federal Direct Loan, etc.). Depending on whether the conviction was for sale or possession and if the student has previous offenses, the period of ineligibility can range from one year to an indefinite period. The student regains eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program as defined in the Higher Education Opportunity Act of 2008,§ 485(a)(7)(c) and (a)(9).

5.2 Notice and Sanctions - Employees

Individual employees who are found in violation of the University policy on alcohol and other drugs by their supervisors will be reported to the Director of Human Resources/Payroll for consultation prior to action. For potential actions see 5.2.1 and 5.2.2.

Any employee arrested under circumstances involving an alleged violation of a criminal drug or alcohol beverage related statute while in his or her workplace, whether on or off campus; in a University vehicle; or as part of any activity the University initiates or takes part in must notify his or her immediate supervisor within five days of the arrest. An arrest and/or failure to report an arrest, depending on the circumstances may be grounds for actions or sanctions. The status of the criminal proceeding is a factor the supervisor may take into consideration. It is important that the supervisor seek advice from the Human Resources/Payroll Director or the ~~NDSU General Counsel~~Office of the Provost before taking action in arrest situations.

Any employee convicted of violating any federal, state, or local criminal drug or alcohol beverage related statute in his or her workplace, whether on or off campus; in a University vehicle; or as part of any activity the University initiates or takes part in must notify the University Human Resources/Payroll Director no later than five days after such conviction. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal, state or local court. North Dakota State University is required by law to inform the federal contracting officer within 10 days of receiving notice of a conviction of violating a criminal drug statute from an employee or otherwise receiving notice of such conviction.

If an employee is convicted of violating any criminal drug or alcohol beverage related statute while in the workplace, as described above, University actions may include:

5.2.1 Requiring the employee to participate in a drug assistance or rehabilitation program approved by the University;

5.2.2 Disciplinary action for a violation of university alcohol or drug policy up to and including termination of employment. Disciplinary action may include one or more of the following:

a. Warning/reprimand;
b. Ineligibility to receive the next available annual salary increase;
c. Suspension without pay for up to 5 days;
d. Termination of employment; or
e. Any combination of the above sanctions.

NOTE: These sanctions need not necessarily be applied in any sequence. Any sanction may be chosen from this list for any offense, dependent upon its severity. Referral for prosecution may also be a result of any criminal violations.

Work attendance while under the influence:

Unlawful consumption of alcohol beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of the NDUS are prohibited. See Policy 151 Code of Conduct (for employees).

Local, State and Federal Laws:

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989 a summary of local, state and federal laws related to alcohol and other drugs can be found at the Alcohol and Other Drug Prevention Programs website.

A paper copy of this policy is available from the Human Resources/Payroll Office (for employees) and Bison Connection (for students).

HISTORY:

New	March 18, 1989
Amended	December 1992
Amended	October 1999
Amended	April 2003
Amended	October 2003
Amended	January 2004
(renumbered) Amended April 2010	
Amended	March 25, 2011
Housekeeping	August 18, 2011
Housekeeping	May 22, 2012
Housekeeping	June 12, 2013
Housekeeping	August 27, 2013

Policy *158* Version 1 *082515*

Policy Change Cover Sheet

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

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

SECTION: 158 Acceptable Use of Electronic Communications Devices

4. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping change removing all reference to the members of the Acceptable Use Review Committee (AURC) since General Counsel needs to be removed

5. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Provost Office on 8/25/05
   - Email address of the person who should be contacted with revisions: melissa.lamp@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 158
ACCEPTABLE USE OF ELECTRONIC COMMUNICATIONS DEVICES

SOURCE: SBHE Policy Manual, Section 1901.2 (Computing Facilities)

1. All employees, students, and other users of North Dakota University System computing and networking resources shall comply with applicable laws, policies, and procedures. The chancellor shall adopt procedures establishing rules governing access to and use of computing and networking resources.

2. NDUS Procedure 1901.2, "Computer and Network Usage," contains specific policies, procedures, rights, and responsibilities which also apply to NDSU. See: NDUS Procedure 1901.2.

Of central importance in this document are the definitions of "Authorized Use" and "Authorized Users" from section 1:

"Authorized use: Use of computing and networking resources shall be limited to those resources and purposes for which access is granted. Use for political purposes is prohibited. Use for private gain or other personal use not related to job duties or academic pursuits is prohibited, unless such use is expressly authorized under governing institution or system procedures, or, when not expressly authorized, such use is incidental to job duties or limited in time and scope, and such use does not: (1) interfere with NDUS operation of information technologies or electronic mail services; (2) burden the NDUS with incremental costs; or (3) interfere with the user's obligations to the institution or NDUS."

"Authorized user(s): Computing and networking resources are provided to support the academic research, instructional, outreach and administrative objectives of the NDUS and its institutions. These resources are extended to accomplish tasks related to the individual's status with NDUS or its institutions. Authorized users are (1) current faculty, staff and students of the North Dakota University System; (2) individuals connecting to a public information service (see section 5.3); and (3) other individuals or organizations specifically authorized by the NDUS or an NDUS institution. For the purposes of this policy, no attempt is made to differentiate among users by the user's group. These policies treat all users similarly, whether student, faculty, staff or other authorized user, in terms of expectations of the user's conduct."

3. Examples of **Electronic Communications Devices** (ECD) include NDSU provided computers, telephones, cell phones, facsimile (fax) machines, personal digital assistants (PDA's), network equipment and infrastructure, software, information services, peripherals, flash drives, data media, etc. Use of some of these devices may also be affected by other policies or procedures and local, state, and federal laws. In particular, NDSU Policy Section 710 contains further administrative policy on Computer and Electronic Communications Facilities.

4. Examples of uses which NDSU considers to be **unauthorized and unacceptable uses** of NDSU provided electronic communications devices include but are not limited to: intentionally viewing, listening to, or sharing obscene or pornographic materials including child pornography; political use; personal commercial gain; copyright (DMCA) violations; hacking or other disruption of operations for

other ECD's; attempting to conceal one's identity (such as anonymous emails) for an unlawful or improper purpose or use of a false identity; threatening communications; harassment; use contributing to a hostile, intimidating, or offensive work environment; fraud; stalking; luring of minors; and invasion of privacy.

5. The **Acceptable Use Review Committee** (AURC) is charged with establishing recommended procedures and working with NDSU administrators and the NDSU Information Technology Security Officer to ensure consistent responses to alleged violations of this policy.
6. **Alleged violations** of this policy by employees should be reported to the NDSU Information Technology Security Officer and the responsible administrator at the Dean or Director level or higher. The administrator and NDSU IT Security Officer in turn will work with the AURC to assess the situation and recommend an appropriate course of action. The person accused of the violation should not be notified until this discussion has taken place. Allegations concerning students who are not employed by NDSU are guided by the Code of Student Behavior (See Policy Section 601). The outcome of an investigation might include a finding of no violation, a violation of policy or law, and/or referral to law enforcement for criminal investigation.

7. **Sanctions** for violations of policy or law include but are not limited to one or more of the following actions: verbal caution; letter of warning; loss of computer and/or network access; referral to the Employee Assistance Program, training, or education; letter of reprimand; suspension with or without pay; and termination of employment.

8. Employee **questions** about acceptable use should be directed to their supervisors. Supervisors and administrators may contact AURC members or the NDSU IT Security Officer in Information Technology Services (231-8685 option 1) if they have questions.

HISTORY:

New	April 15, 1988
Amended	October 2004
Amended	March 2006
Amended	October 2007
Housekeeping	July 2010
Housekeeping	December 2010
Housekeeping	April 01, 2011

Policy *159* Version 1 *082515*

Policy Change Cover Sheet

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

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

SECTION: 159 Injury Claims Against NDSU and State Risk Financing

7. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping change removing reference to General Counsel

8. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Provost Office on 8/25/15
   - Email address of the person who should be contacted with revisions: melissa.lamp@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 159
INJURY CLAIMS AGAINST NDSU AND STATE RISK FINANCING

SOURCE: NDSU President

1. Claims by third parties (employees' injuries are processed through Workers Compensation) against the State or NDSU and University employees are governed primarily by state law, NDCC ch. 32-12.2. This law resulted from a North Dakota Supreme Court decision decided in 1994 which overturned sovereign immunity.

2. Claims for injuries caused by a state employee within the scope of that employee's employment are brought against the State and not against the individual employee. The injured party must file a claim with the State Risk Manager in the Office of Management and Budget ("OMB") within 6 months of the injury. Civil actions for damages must be brought against the State within 3 years of the accident.

3. NDSU, through a designated official, the University Risk Manager, notifies OMB of incidents via an OMB Incident Report Form. University employees should either fill out a University Incident Report Form and submit this to the University Risk Manager or contact the University Risk Manger ~~or the University General Counsel~~ directly. The State Risk Manager, if the injured party wants to file a claim, then sends claim forms to the claimant. The claim is then investigated.

4. The current coverage by the State is $250,000 per person and $1,000,000 per occurrence. The State self-insures for this amount. Any judgment beyond this amount would have to go the North Dakota Legislature for an appropriation.

5. OMB has approval authority for state agencies to purchase additional insurance. There are other risk financing coverages; for example, auto insurance, medical malpractice, property insurance through the State Fire and Tornado Fund, aviation liability policies, boiler and machinery coverage, fidelity bonding, and others. On occasion, unique insurance may need to be purchased for specific events. Normally, however, the Risk Management Fund is sufficient. Questions about insurance coverage can be directed to the University Risk Manager or University General Counsel. Certificates of self-insurance are available.

6. A special situation exists in the case of students or visitors to the campus who appear to have suffered a possible serious injury on the campus and who are unable, because of unconsciousness or other reasons, to clearly request that an ambulance be called for them. When staff members have called the ambulance themselves in the past, there have been cases where the injured person subsequently refused to pay the ambulance bill. This is unfortunate, but a more serious problem could result from neglecting to get prompt medical attention, with a real potential for a liability suit directed against the University.

   University personnel should continue to request the services that an injured person appears to need. In most cases, the person or family will be grateful for the action and assume the expenses without question. In the remaining cases, the University will pay for the service if the

ambulance company seeks reimbursement against the calling party in order to ensure that staff members involved in making decisions under stressful circumstances know that they have institutional support. The injured party is liable for the bill, however.

7. Employees not only need to be a part of risk management, but also need to be circumspect about making statements to injured parties, other third parties, or even to other University employees who aren't involved in the investigation about the situation. Statements made can be used against the University in future lawsuits. Employees should confine their statements to the facts and contact the University General Counsel or the University Risk Manager for advice on how the matter should be handled. IF AN EMPLOYEE IS SUED, THE EMPLOYEE HAS TEN DAYS TO NOTIFY THE PRESIDENT AND REQUEST LEGAL REPRESENTATION. EMPLOYEES SHOULD CONTACT THE GENERAL COUNSEL IMMEDIATELY IN SUCH SITUATIONS.

8. Settlements are made, if warranted, by consultation between the University, the State Attorney General's Office, and the State Risk Manager after reviewing all the investigation reports.

9. Employees do have a risk of individual liability if they are acting outside the scope of their employment. An employee is acting within the scope of their employment if the employee is acting on behalf of NDSU performing lawfully assigned duties. However, an employee who acts in a reckless or grossly negligent manner, commits malfeasance in office, or commits willful or wanton misconduct is deemed not be acting within the scope of their employment. In such rare cases, the State has no responsibility to defend the employee.

   For more information regarding state employee liability see:
   http://www.ag.nd.gov/Brochures/FactSheet/LiabilityStateEmployees.pdf

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HISTORY:

New	July 1990
Amended	June 1996
Amended	December 1997
Amended	October 2007
Amended	February 2009

Policy *168* Version *1 06/29/2015*

Policy Change Cover Sheet

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

SECTION: 168 REASONABLE ACCOMMODATION ON THE BASIS OF DISABILITY - GUIDELINES FOR EMPLOYEE REQUESTS

10. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes X☐ No
    - Describe change: Making two housekeeping changes – correcting title of a form and updating its link

11. This policy change was originated by (individual, office or committee/organization):
    - Human Resources/Payroll on 6/29/15
    - colette.erickson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 168
REASONABLE ACCOMMODATION ON THE BASIS OF DISABILITY - GUIDELINES FOR EMPLOYEE REQUESTS

SOURCE: NDSU President

1. NDSU is committed to providing equal opportunity to both applicants for employment and employees with disabilities, as defined by law, by providing reasonable accommodations. To fulfill this commitment, NDSU has established the following guidelines.

2. APPLICANTS for employment:

   2.1 Applicants for employment who have a disability may request reasonable accommodation at any time during the application process. Requests for accommodation shall be made to the Office of Human Resources/Payroll. Applicants will be asked to confirm the request in writing, provided, however, the arrangements for accommodation may be initiated prior to receipt of the written request.

3. EMPLOYEES:

   3.1 Request for reasonable accommodation.
   An employee whose disability requires reasonable accommodation in order to perform the essential functions of his/her job may request reasonable accommodations either formally or informally at any time during his/her employment. However, in all instances the request for reasonable accommodation shall be processed through the Human Resources Department. Human Resource's response will be in writing. Supervisors receiving requests for accommodation from employees shall direct the employee to contact Human Resources in order to address their need for a reasonable accommodation.

   3.2 Process for addressing requests for accommodation.
   Informal accommodation requests shall be made by the employee either in-person or in-writing to the Office of Human Resources/Payroll.

   Formal accommodation requests shall be made in writing using the Employee Reasonable Accommodation form. The completed form shall be submitted to the Office of Human Resources/Payroll. In addition, the employee shall provide to the Office of Human Resources/Payroll relevant, written documentation of a disability from an appropriately certified or licensed health care or rehabilitation professional in a relevant field of the disability and explain the need for reasonable accommodation using the Documentation to Support a Request for Reasonable Accommodation on the Basis of Disability form. To ensure a written timely response from Human Resources, it is recommended that the employee submit the documentation (form) within ten working days of the employee's

written accommodation request. Both forms are available on the NDSU forms page or by request from the Office of Human Resources/Payroll.

3.3 Documentation of disability and need for accommodation.

3.3.1. Documentation provided by an employee should include the following:

a) A statement identifying the disability, the date of the current diagnostic evaluation and the date of the original diagnosis, including diagnostic criteria and/or tests used.
b) A description of the current functional impact of the disability.
c) Treatments, medications, assistive devices/services currently prescribed or in use.
d) A description of the expected progression or stability of the impact of the disability over time.
e) The relevant credentials of the diagnosing professional(s) such as medical specialties or professional licensure.

3.3.2. All written documentation provided by an employee requesting accommodation will be maintained in a confidential file separate from the employee's official personnel file in the Office of Human Resources/Payroll.

3.3.3. Occasionally, the documentation provided by the employee may not be sufficient to make a determination of the appropriate reasonable accommodation. In such a circumstance, the University may require the employee to go to a health care professional of the University's choice in order to adequately document the need for accommodation and identify appropriate accommodations. Any medical examination required under these circumstances will be limited to determining the existence of a disability and the functional limitations that require reasonable accommodation.

3.3.4. Any costs related to the University's request for the additional medical documentation described in 3.3.3. above will be the responsibility of the University.

4. The determination of a reasonable accommodation shall be an interactive process involving the employee, Office of Human Resources/Payroll and relevant administrative personnel. The University may provide an alternative to the requested accommodation so long as it is effective in removing the workplace barrier(s) that impede(s) the employee with the disability. The employee may refuse an alternative reasonable accommodation, but such refusal may mean the individual may not be able to perform the essential functions of the job, which may require a fitness for duty evaluation under NDSU Policy 161: Fitness for Duty.

4.1 An applicant or an employee with a disability, as defined by law, who is dissatisfied with the response to his/her request for reasonable accommodation and wishes to appeal,

may do so in writing to the Office of Human Resources/Payroll within ten working days of the response.

4.2 An Accommodation Review Board (ARB) will be assembled to review the appeal to the response. Following their review, they will make a recommendation to the NDSU ADA Coordinator. The final decision will be made by the NDSU ADA Coordinator and communicated to the employee and Human Resources in writing within ten working days of the receipt of the ARB's recommendation.

4.2.1 Members of the ARB shall include:
Director of Human Resources/Payroll or Designee
Director of (Student) Disability Services or Designee
Equal Opportunity Specialist, Equity, Diversity & Global Outreach or Designee
Vice Provost for Advancement of Faculty or Designee

HISTORY:

New	October 13, 1999
Amended	May 6, 2014

Policy *326* Version 1 *082515*

Policy Change Cover Sheet

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SECTION: 326 Academic Misconduct

13. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes removing reference to General Counsel and updating the title of the Provost/Vice President for Academic Affairs to Provost

14. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted: Provost Office on 8/25/15
    - Email address of the person who should be contacted with revisions: melissa.lamp@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 326
ACADEMIC MISCONDUCT

SOURCE: NDSU President
NDSU Faculty Senate

1. PHILOSOPHY& PURPOSE

1.1 North Dakota State University is committed to upholding the highest standards of integrity of its endeavors in the pursuit of academic activities including research, instruction, and service. The University will promote an open and honest atmosphere in reviewing and reporting possible academic misconduct.

1.2 Scholarly inquiry creates the expectation for strict integrity in its pursuit. Integrity is defined as a commitment to intellectual honesty, and personal responsibility. As a public institution engaged in research, NDSU has an obligation to ensure public trust and confidence in our academic programs and publications. NDSU is committed to creating an environment which promotes responsible conduct that embraces attitudes of excellence, trust, and lawfulness in all our endeavors. It is essential to create this environment in order to maintain academic integrity, which in turn will promote academic excellence leading to reliable and accurate research results. *1* Because misconduct in scholarly inquiry, including the improper expenditure of funds, threatens the confidence in the academic endeavor, it is the responsibility of the University to foster an academic environment that discourages misconduct in all endeavors of scholarly activity and to develop policies and procedures to deal forthrightly with possible misconduct associated with scholarly activity

1.3 These policies and procedures deal with academic misconduct and define a process to report, review, investigate, and resolve, allegations of academic misconduct. They are directed toward governing behaviors to maintain integrity in the pursuit of scholarly, academic activities, and they are consistent with the principle of self-regulation in maintaining integrity in scholarly inquiry.*2*

2. APPLICABILITY

2.1 These policies are applicable to all persons employed at NDSU and associated with NDSU through academic activities. These would include, but are not limited to faculty, adjunct faculty, research professors, lecturers, collaborators, staff, technicians, post-doctoral fellows, graduate, and undergraduate students, and volunteer assistants. However, allegations against graduate and undergraduate students which are course related will be handled under NDSU Policy 335: Code of Academic Responsibility and Conduct.

2.2 While this policy deals with internal allegations, any NDSU employee wanting to charge misconduct against an individual(s) outside the University must have discussed the allegations with the Department Chair, Dean and Provost~~/Vice President for Academic Affairs~~ before proceeding with such allegations.

3. **DEFINITIONS**

3.1 **Academic or scientific misconduct** shall mean fabrication, falsification, plagiarism, misrepresentation of sources, breach of confidentiality, or other practices, including fiscal impropriety, that seriously deviate from those that are commonly accepted within the discipline for proposing, for conducting, or reporting research; or material failure to comply with a sponsor's requirements that uniquely relate to the conduct of the research. It does not include honest error, or honest differences in interpretations or judgments of data.

3.2 **Allegations** shall mean any written or oral accusation by any University official or other Complainant, from inside or outside of NDSU, of possible misconduct that is forwarded to the Office of the Provost~~/Vice President for Academic Affairs~~.

3.3 **Complainant** means any person who makes a formal allegation of research or scholarly misconduct under this Policy.

3.4 **Fabrication** is making up data or results and recording or reporting them.

3.5 **Falsification** is manipulation of research materials, equipment, processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

3.6 **Inquiry** shall mean informal information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

3.7 **Investigation** shall mean the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.

3.8 **Plagiarism** shall mean taking over ideas, methods, or written words of another without acknowledgment of and with the intention that they be credited as the work of the deceiver. Different academic disciplines may have their own separate definition which may add additional elements that need to be taken into consideration in an allegation of plagiarism.

3.9 **Respondent** shall refer to the accused or the person against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding.

3.10 **Scholarly inquiry**, **creative activity**, and **research** shall be considered synonymous terms.

4. **PRINCIPLES**

4.1 Due to the wide variety of endeavors of scholarly activity, no one set of guidelines can cover all situations. Also, because of the seriousness of the nature of this subject, several basic principles must be used to guide the processes.

4.2 Allegation(s) must receive immediate, appropriate, thorough, and impartial consideration.

4.3 The Complainant who in good faith reports apparent academic misconduct shall be protected from recrimination. Good faith allegations are those that are made with the honest belief in the truth of the allegation based on the information the Complainant had reasonable access to at the time of the allegation.

4.4 The Respondent, Complainant, witnesses, and committee members must be afforded confidential treatment during the entire process to the extent reasonably possible. Disclosure of the charges and evidence under this policy will be made only as specified in the regulations of the sponsoring agency or as required by the North Dakota Open Records Act. Any violation of this rule is also considered a matter for disciplinary action. Further, the Respondent must be afforded confidential treatment to the extent reasonably possible while being given an opportunity to respond to the allegations and provide a defense during the Inquiry or Investigation phases. A confidentiality agreement can be required.

4.5 From receipt of the initial allegation to the completion of the investigation, every effort will be made to obtain and secure evidence that will be directly applicable to the case. All evidence must be carefully weighed to determine whether an allegation has been made in good faith or malice.

4.6 In order to determine misconduct, NDSU must find (1) that there was a significant departure from accepted practices of the relevant academic or professional community; (2) it was committed intentionally, knowingly, or recklessly; and (3) the allegation must be proven by a preponderance (greater than 50%) of the evidence.

4.7 If allegations of apparent academic misconduct are shown to be unfounded and have been made with the malicious intent of destroying a career and reputation, the evidence of this fabrication is to be presented to the Provost~~/Vice President for Academic Affairs~~ for appropriate examination and possible disciplinary action.

4.7.1 Malicious allegations to harm or harass other individuals will not be tolerated by the University, nor will retaliation against the Respondent, Complainant, witnesses, or inquiry or investigative committee members. Further actions against Complainants who have acted in bad faith may be taken under NDSU policies that apply to employment and termination procedures. Actions that may be taken by NDSU could include, but are not limited to, termination of employment or expulsion.

4.8 Any University action imposing sanctions must comply with the procedural requirements of the applicable personnel or student policies (see Policies 220, 335, 350.3, or 601).

4.9 Challenges against a member of the Academic Integrity Committee for a conflict of interest shall be handled by the committee first and then, if the matter is not resolved, by the President of the Faculty Senate.

5. ACADEMIC MISCONDUCT PROCEDURES

In dealing with academic misconduct allegations, NDSU will follow a three phase process: (1) Phase I - receipt of the allegation; (2) Phase II - an immediate inquiry of the allegation; and (3) Phase III - if warranted, an investigation of the allegation which may lead, where applicable, to recommendations for appropriate sanctions and reporting. Actual sanctions and appeals will be considered separately and will be handled through other administrative processes.

6. PHASE I: RECEIPT OF ALLEGATION

6.1 Initially, the Complainant should report the allegation and provide evidence to the university official who is the immediate supervisor of the Respondent. The person receiving the allegation is hereafter referred to as the receiver of the allegation.

6.1.1 Any National or Federal agency involved could also be notified. Most agencies will not investigate initially and will allow NDSU to proceed as the primary investigating body. The funding agency will review the submitted reports to determine if further actions need to be taken. Federal agencies expect each institution to handle these proceedings and will only take charge if there is an immediate need to handle the case themselves.

6.2 Upon receipt of an allegation, the receiver of the allegation must immediately inform the Provost~~/Vice President for Academic Affairs~~ (or specified designee) formally, in writing of the nature of the allegation. The Provost~~/Vice President for Academic Affairs~~ will inform the President.

6.3 Allegations of academic misconduct by a Complainant (other than the University acting through its administration) must normally be received within six years from the time when alleged academic misconduct occurred. Other exceptions include: (1) the Respondent continues or renews any incident of alleged research misconduct that occurred outside the six-year limit through the citation, republication or other use for the potential benefit of the Respondent of the research record that is the subject of the allegation; (2) NDSU, following consultation with appropriate agencies, determines that the alleged misconduct, if it occurred, would possibly have a substantial adverse effect on the health or safety of the public; or (3) there is an allegation of fraud which prevented the discovery of the alleged misconduct. Allegations older than six years will normally not be accepted.

7. PHASE II: INQUIRY

7.1 Upon receipt of an allegation, the Provost~~/Vice President for Academic Affairs~~ will prepare a statement of allegation which identifies the Complainant, and notifies the Respondent, the appropriate department chair(s), and academic dean(s) of the allegation with available evidence.

7.2 The Respondent and Complainant will be offered initial consultation at the time of the receipt of the allegation to assist all parties in understanding the extent of this policy and procedures, and

the potential and real consequences. They shall be provided copies or informed of the location of relevant policies and/or rules.

7.3 The Provost~~/Vice President for Academic Affairs~~ shall appoint an inquiry committee of three persons consisting of non-administrative, tenured faculty with the rank of professor (emeritus and emerita professors are eligible). Members of the committee may be external to the University and non-faculty members may be appointed if a specific case warrants their inclusion to review the allegation(s).

7.3.1 The inquiry committee will determine if there is sufficient basis to conduct an investigation based on whether (1) the allegation falls within the definition of academic misconduct as defined above; (2) the allegation is sufficiently credible; and (3) the allegation is specific enough so that potential evidence of academic misconduct may be identified. "Sufficient basis" means that there is enough evidence that could be adequate to establish a violation if proven.

7.3.2 Interviews must be conducted, where possible, with both the Respondent and the Complainant and any other persons who may have information relevant to the allegation and purpose of inquiry. The Complainant and the Respondent must comply with appropriate requests by the inquiry committee for documents and other relevant evidence.

7.3.3 The committee may seek an opinion by a recognized authority in the Respondent's field.

7.3.4 Upon completion of the inquiry, the committee will prepare a report which shall include: (1) the name and position of the Respondent(s); (2) a description of the allegation of misconduct; (3) list of persons interviewed; (4) a summary of the evidence; (5) the conclusions of the inquiry; (6) a rationale for the recommendation that the alleged misconduct did or did not warrant an investigation; (7) any comments by the Complainant and Respondent; and (8) identification of relevant grants or other funding involved.

7.4 The Complainant and Respondent shall be given a complete copy of the report. Each will be given 10 working days to respond to the report and their comments will become part of the record. ~~A copy of the report and responses shall be sent to the General Counsel.~~

7.5 The inquiry report will be completed and submitted to the Office of the Provost~~/Vice President for Academic Affairs~~ within 60 calendar days from the receipt of the initial allegation, unless circumstances which can be documented indicate reasons for exceeding this 60 day period.

7.6 If the Provost~~/Vice President for Academic Affairs~~ determines that there is no basis to conduct an investigation, a copy of the inquiry report shall be maintained for a period of seven years in the Office of the Provost~~/Vice President for Academic Affairs~~. This is to permit a later, independent assessment of the reasons for determining that an investigation was not warranted should this be requested by an appropriate agency.

7.7 Seven years after the completion of the inquiry, all documentation shall be destroyed.

7.8 If, at any time, the documentation is requested by any party, the Respondent shall be notified.

7.9 All work of those involved should, to the extent possible, remain confidential. Breaches of confidentiality may be subject to appropriate sanctions.

7.10 The Complainant can appeal a decision not to conduct an inquiry to the Committee on Academic Integrity within five (5) working days of receiving notice that an inquiry is not warranted.

8. PHASE III: INVESTIGATION

8.1 If the Provost~~/Vice President for Academic Affairs~~ determines that the findings from the inquiry provide sufficient basis for conducting an investigation, the investigation must be initiated within a thirty (calendar) day period after written notification to the Respondent that there will be an investigation. On or before the initiation of the investigation, NDSU will notify all applicable agencies as required by regulations.

8.2 The investigation will be conducted by the standing committee of the Faculty Senate, the Committee on Academic Integrity. (http://senate.ndsu.edu/fileadmin/facultysenate/docs/constitution.pdf)

8.3 The Provost~~/Vice President for Academic~~ Affairs shall forward the inquiry report to the Committee on Academic Integrity (Investigation Committee) which shall investigate the allegations in substantial compliance with all Federal Regulations.

8.4 The Investigation Committee shall comply with the following guidelines:

8.4.1 Respondent must be notified in writing that an investigation is being conducted, must be interviewed by the Investigation Committee, and has the right to call any witnesses or produce any evidence in defense. In addition, the Respondent has the right to have an attorney accompany him/her/them to the interview. If an attorney for the Respondent is present, the Investigation Committee may request that the University provide legal counsel to assist it as well.

8.4.2 The Investigation Committee may request, and must use diligent efforts to secure, any evidence considered necessary to conduct a complete investigation of the allegation. Whenever possible, interviews should be conducted of all individuals involved including the Respondent and the Complainant as well as other individuals who might have information regarding key aspects of the allegations. Because of the possible specialized nature of the evidence to be investigated, the Committee may seek advice from experts within or from outside the University. Complete summaries of these interviews should be prepared and provided to the interviewed person(s) for comment and shall be included as part of the investigation file and furnished to the Respondent.

8.4.3 The Investigation Committee will deliberate and reach its conclusions and write its final report in executive session. Further, the Investigation Committee must prepare and

maintain all documentation to substantiate its findings.

8.4.4 The investigation by the Investigation Committee is to remain confidential unless disclosure is required by the North Dakota Open Records Act or by the sponsor's guidelines.

8.5 If it is determined that the allegations of misconduct are groundless, a report with supporting documentation shall be forwarded to the Office of the Provost~~/Vice President for Academic Affairs~~ to be retained appropriately for a period of seven years.

8.6 If the allegations are substantiated by a preponderance (greater than 50%) of the evidence, the Investigation Committee shall forward the report to the Provost~~/Vice President for Academic Affairs~~ and the President with recommendations for appropriate disciplinary action (sanctions).

8.7 The Respondent and Complainant shall be given a complete copy of the report. Each will be given ten (10) calendar days to respond to the report and their comments will become part of the record.

8.8 All persons and agencies involved in the investigation shall be notified of the conclusion. A copy of all documents shall be furnished to the Respondent and the Complainant. If the documents are requested by any party, the Respondent shall be notified.

8.9 In the case of a federal grant, a final report (in substantial compliance with all Federal regulations) prepared by the Provost~~/Vice President for Academic Affairs~~ describing policies and procedures under which the investigation was conducted, the nature of the allegations, how information was obtained, all persons interviewed with text or summary of interviews, the findings, the basis for the final decision, and a description of disciplinary action taken by the institution, must be sent to the appropriate agency. *3*

8.10 It shall be the responsibility of the Provost~~/Vice President for Academic Affairs~~ to communicate the results of the investigation to collaborators, journals, publishers, professional societies, licensing agencies, and sponsoring agencies with whom the accused has had professional contact as appropriate.

8.11 The investigation should ordinarily be completed within 120 calendar days of its initiation. If it cannot be completed within that time, then a request to the Office of Research Integrity (ORI) (or other applicable agency(ies)), will be made by the Provost~~/Vice President for Academic Affairs~~ to extend the time, and documentation for the reasons for exceeding this period must be made available in the report.

9. SPECIAL REPORTING REQUIREMENTS

9.1 Normally, the inquiry or investigation will be conducted in such a manner as to protect the privacy/confidentiality of all involved.

9.2 However, if at any stage of the inquiry or investigation, any of the following conditions exist, there must be immediate notification to the sponsoring agency or other affected parties:

9.2.1 there is an immediate health safety risk or immediate need to protect human or animal subjects;

9.2.2 research activities should be suspended;

9.2.3 there is an immediate need to protect agency funds, equipment, or the integrity of the research process;

9.2.4 there is an immediate need to protect the interests of the person(s) making the allegation or the individuals who are subject to the allegations as well as his/her co-investigators and associates;

9.2.5 it is probably that the alleged incident is going to be reported publicly;

9.2.6 there is reasonable indication of possible violation of civil or criminal law. In this instance, the institution must inform the appropriate sponsoring agency, if necessary, within 24 hours of obtaining that information; or

9.2.7 there is a reasonable belief that the research community or public should be informed.

10. **SANCTIONS**

10.1 NDSU administration may implement specific sanctions congruent with the misconduct.

10.2 Sanctions resulting from academic misconduct may include, but are not limited to, termination of employment or student status, termination of current research activity, special prior review of future research activities, written reprimand, probation for a specific period of time, and/or suspension of rights and responsibilities.

10.3 In cases of students, recommendations for sanction or disciplinary actions will be forwarded to the Vice President for Student Affairs or the Graduate Dean to determine appropriate administration of any sanctions.

10.4 In deciding what final actions are appropriate when misconduct is found, NDSU officials should consider:

10.4.1 the seriousness of the misconduct;

10.4.2 the degree to which the misconduct was knowing, intentional, or reckless;

10.4.3 whether the misconduct was an isolated event or part of a pattern of behavior;

10.4.4 whether it had a significant impact on the research record, research subjects, other researchers, institutions, or the public welfare; and

10.4.5 other relevant circumstances.

11. **APPEALS**

11.1 Appeals of the Committee on Academic Integrity finding of misconduct will be handled through federal agencies of oversight where applicable or through NDSU's President's Office.

11.2 NDSU appeals must be made directly in writing to the President of NDSU within 30 days of the notice of determination by the Committee on Academic Integrity.

11.3 Review of the appeal is by the President. The President has the option to appoint a technical review committee for advice.

11.4 NDSU may suspend an internal appeal until further determination by the agencies.

11.5 NDSU appeals will be restricted to the evidence presented and will be limited to the University's failure to follow published procedures or arbitrary or capricious decision making.

11.6 Upon review of the appeal, the determination made by the President of the University is final.

11.7 Grievances and appeals to sanctions and disciplinary actions will be handled accordingly to the applicable polices. Faculty (policy 157, 350.3, 353); Staff/employee (policy 157, 230, 231); and Students (policy 601 and 335).

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1. Integrity in Scientific Research, Institute of Medicine, National Research Council, (2002).
2. See Office of Science and Technology's Research Misconduct Policy (2000) http://www.ostp.gov/cs/federal_policy_on_research_misconduct In addition, these policies and procedures are necessary since the federal government requires that each entity applying for research grants or agreements under the Public Health Service must establish explicit, uniform policies and procedures for investigating and reporting instances of alleged or apparent misconduct involving research activities that are supported with funds made available under the Public Health Service Act. The appropriate acts providing authority are: 42 CFR Part 50, Section 493, Public Health Service Act, as amended, 99 Stat. 874-875, (42 u.s.c. 289b); Section 501(f), Public Health Service Act, as amended, 102 Stat. 4213 (42 u.s.c. 290aa(f)).
3. For example, the Office of Research Integrity (ORI), in the Office of the Director of the National Institutes of Health.

HISTORY:

New	May 14, 1990
Amended	April 1992
Amended	June 1995
Amended	December 2002
Amended	October 2003
Amended	October 2007
Amended	November 2008

Housekeeping February 14, 2011hk

Policy *334* Version 1 *090815*

Policy Change Cover Sheet

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

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

SECTION: 334 FIELD TRIPS

16. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes as follows:
        1) Updating who instructors can contact for assistance (reducing down to one office, Student Life – removing University Risk Manager/Purchasing Director and University General Counsel
        2) Updating the title or Dean of Student Life to Assistant Vice President/Dean of Student Life

17. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted: Provost Office on 8/25/15 ; Student Life on 9/4/15
    - Email address of the person who should be contacted with revisions: melisssa.lamp@ndsu.edu; mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
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SECTION 334
FIELD TRIPS

SOURCE: NDSU President

The Dean of Student Life should receive notification of any proposed trip out of town and a listing of names of the students who are going, their expected time of return, names of instructors/advisors accompanying students, and emergency contact information.

Instructors should obtain, at a minimum, informed consent from students going on field trips outlining the expectations of students, any unusual risks, and consent for emergency medical treatment. In some cases, releases of liability may be appropriate. Instructors can contact the Assistant Vice President/Dean of Student Life~~, University Risk Manager/Purchasing Director, or University General Counsel~~ for assistance.

HISTORY:

New	July 1990
Amended	October 2001
Amended	October 2007
Amended	November 2008

Policy *348* Version *06/30/2015*

Policy Change Cover Sheet

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SECTION: Policy 348 – Instruction in the Responsible Conduct of Research

19. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: housekeeping - updated to reflect the change in the person serving as the Research Integrity Officer
20. This policy change was originated by (individual, office or committee/organization):
    - Office of the Vice President for Research and Creative Activity
    - cassandra.j.johnson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	6/30/15
Faculty Senate:	6/30/15
Staff Senate:	6/30/15
Student Government:	6/30/15
President's Cabinet:	6/30/15

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North Dakota State University
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SECTION 348
INSTRUCTION IN THE RESPONSIBLE CONDUCT OF RESEARCH

SOURCE: NDSU President

1.0 General Principles.

1.1 The responsible conduct of research (RCR) is critical for excellence, as well as public trust, in science and engineering. Consequently, education in RCR is considered essential in the preparation of future scientists and engineers. Federal law (Section 7009 of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science (COMPETES) Act (42 U.S.C. 1862o-1)) and federal sponsors currently require appropriate training and oversight in the responsible and ethical conduct of research for students and researchers.

2.0 Applicability.

2.1 Students (undergraduates, graduate students, and post-doctoral researchers) “supported” by the National Science Foundation (NSF) for science and engineering research awards must be provided with appropriate training and oversight in the responsible and ethical conduct of research. This requirement is effective with proposals submitted to the NSF on or after January 4, 2010, and includes subrecipient institutions.
(*NOTE: Use of the term “supported," is not restricted to financial remuneration. "Supported" can be access to equipment, supplies or lab space by paid students or even volunteers conducting research. Students supported by funds other than NSF but involved in research sponsored by the NSF are considered supported by the NSF and, thus, subject to training requirements.)

2.2 All trainees, fellows, participants, and scholars receiving support through any National Institutes of Health (NIH) training, career development award, research education grant, and dissertation research grant must receive instruction in responsible conduct of research. This requirement is effective with new and renewal applications submitted to NIH on or after January 25, 2010, and for all continuation (Type 5) applications with deadlines on or after January 1, 2011.

2.3 The Vice President for each unit or the Dean of each college, as applicable, has the discretion to require RCR training for other individuals in addition to those identified in 2.1 and 2.2. "Unit" is intended to mean those divisions that don't have a Dean typically, such as, but not necessarily limited to, ~~Center for Nanoscale Science and Engineering (CNSE),~~ ND EPSCoR and Upper Great Plains Transportation Institute (UGPTI).

3.0 Educational Plans.

3.1 Each college and department (or Vice President, as applicable) is responsible for determining the need for and developing a plan for training in the responsible conduct of research, as well as developing content and determining the most effective delivery mechanism appropriate for each discipline, tailored to issues and practices that are relevant. General topics (such as responsible authorship and publication) are relevant to all research, while special topics (such as use of vertebrate animal subjects) would be relevant to select research or disciplinary practices. Plans must also include an indication as to the frequency of training required as well as when training would expire. Most programs would include the following topics:

- conflict of interest - personal, professional, and financial
- conflict of commitment
- policies regarding human subjects, live vertebrate animal subjects in research, and safe laboratory practices
- mentor/mentee responsibilities and relationships
- collaborative research including collaborations with industry
- peer review
- data acquisition and laboratory tools; management, sharing and ownership
- research misconduct and policies for handling misconduct
- responsible authorship and publication
- the scientist as a responsible member of society, contemporary ethical issues in biomedical research, and the environmental and societal impacts of scientific research

3.2 NDSU currently subscribes to the Collaborative Institutional Training Initiative (CITI), which offers online modules on discipline-specific RCR training. Units, colleges and departments shall require completion of the appropriate modules by all individuals identified in Section 2.1 for NSF funding, Section 2.2 for NIH funding, and others as identified in accordance with Section 2.3 as a supplement to the unit, college or department training plan. The CITI modules are accessed at https://www.citiprogram.org.

3.3 Federal agencies, including the Office of Research Integrity, recommend incorporating RCR training throughout the curricula, in a variety of formats. Online courses may not be sufficient as the sole means of providing RCR education, and these should be supplemented with didactic and small-group discussions. Multiple approaches to training are recommended to produce the best results.

4.0 Roles and Responsibilities for Compliance.

4.1 It is the responsibility of each college (or Vice President unit, as applicable) to determine how best to ensure effective and appropriate education in responsible and ethical research practices.

4.2 The Dean of each college (or Vice President of a Unit, as applicable) shall be the NDSU designate responsible for overseeing compliance with the RCR training requirement within their respective college or unit.

4.3 Completion of training shall be appropriately monitored by the Deans (or Vice President, as applicable) or their designees and documented by departments or units to

verify compliance with NSF, NIH or other sponsoring agency RCR requirements. All training plans and documents are subject to review upon request of the President, Provost, a Vice President, General Counsel, or any other designees, federal agencies or other sponsoring entities.

4.4 The Office of Sponsored Programs Administration (SPA), as the Authorized Organizational Representative for NDSU, shall provide the necessary certification to the NSF that NDSU has a plan in place to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduates, graduate students and postdoctoral researchers who will be supported by NSF to conduct research. Prior to finalizing an NSF award subject to the RCR Requirements, SPA will provide the Principal Investigator (PI) with a reminder notice of the NSF RCR requirements.

5.0 Consequences of Noncompliance.

5.1 In addition to any institutional or State Board of Higher Education consequences for failing to comply with the RCR requirements, NDSU or individuals at NDSU can be debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from requesting or receiving funding from the NSF or other federal agencies. Other possible actions include letters of reprimand, ban from serving as reviewers, fines and restitution.

Contact

~~Dr. Charlene Wolf-Hall~~Kelly A. Rusch, Ph.D., P.E.
Research Integrity Officer (RIO)
Responsible Conduct of Research Program
~~Charlene.Hall@ndsu.edu~~Kelly.Rusch@ndsu.edu
701-231-~~6387~~ 6542

HISTORY:

New	February 5, 2010
Amended	October 21, 2010
Housekeeping	September 29, 2011

Policy *400* Version 1 *08/31/2015*

Policy Change Cover Sheet

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

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

SECTION: 400 PURCHASING – GENERAL POLICIES

22. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change includes updating the title of General Counsel to Attorney(s) assigned to NDSU

23. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted: Office of the Provost / Melissa Lamp
    - Email address of the person who should be contacted with revisions: melissa.lamp@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 400
PURCHASING – GENERAL POLICIES

SOURCE: SBHE Section 803.1, Purchasing Procedures
NDSU President

1. Each institution shall develop and implement necessary and appropriate policies and procedures to ensure compliance with laws and State Board of Higher Education policies governing purchasing. Officers and employees involved in purchasing decisions shall comply with all applicable federal and state laws and regulations relating to conflict of interest and acceptance of gifts and gratuities. Institution purchasing policies and procedures shall incorporate (or refer to) SBHE Policy 611.4 relating to conflict of interest, and include procedures for disclosing a conflict of interest. Further, institution purchasing policies and procedures shall address whether vendors' offers of scholarships, endowments, and other premiums contained in bids or proposals will be considered and, if so, the criteria for evaluating such offers.

NDSU Guidelines

1.1 The Director of Purchasing is responsible for the preparation and enforcement of NDSU purchasing policies. The Director of Purchasing may delegate authority to an NDSU employee to purchase specific types and classes of goods and services with prior written authorization by the departmental supervisor. This authorization shall specify what may be purchased by the employee and the duration of the purchasing authorization.

1.2 Purchasing has the responsibility for obligating the University and for making the final determination of source of supply consistent with the required delivery schedule, ability to meet specifications and price negotiations, except where others are so authorized. These decisions will be made in conjunction with user departments as appropriate.

1.2.1 In the event there is an unauthorized purchase, Purchasing will arrange to meet with the individual(s) and the supplier to reduce the potential for future non-compliance. Any unauthorized purchase may result in holding the individual personally responsible.

1.3 The basic responsibilities of Purchasing and those of the using departments are as follows:

Purchasing	Requestors
Responsible for:	Responsible for:
1. Prequalifying suppliers	1. Preparing purchase requisitions

2. Taking bids	2. Providing reasonable lead time
3. Processing quotations	3. Providing justifications as required
4. Negotiating with suppliers	4. Assuring that contract and grant requirements are met
5. Making awards	5. Assuring that funds are available
6. Releasing award information	6. Others as appropriate
7. Auditing purchasing actions of others	
8. Administering a minority business development program	
9. Others as appropriate	

1.4 No personal purchases shall be made in the name of the University nor shall any University resources be used in any way for the purpose of making personal purchases.

1.5 North Dakota University System, Policy 611.4; North Dakota State University Policy 151 - Conflict of Interest and North Dakota Century Code Sections 12.1-13-03 and 48-02-12 are referenced and made part of this Purchasing Policy. Any employee of the University authorized to sell or lease any property or make any contract in the employee's official capacity may not be interested in any such sale, lease or contract.

1.6 All employees involved in federal fund projects shall comply with the conflict of interest requirements that govern any federal grants or other sponsored agreements.

1.7 Equipment and supplies purchased for use by a governmental agency are not subject to sales/use tax or federal excise tax except heating fuel, gasoline and property purchased by NDSU that is installed by an independent contractor. A letter is on file in the Purchasing Department which may be sent to vendors who need proof of our tax exemption.

1.8 In addition to this section, all other federal and state laws, rules and regulations relating to Purchasing must be followed.

2. NDUS institutions shall cooperate and make joint purchases with the Office of Management and Budget Purchasing Division when advantageous to do so as intended by North Dakota Century Code 54-44.4-02. Institutions may also purchase equipment or supplies through participation in joint purchasing alliances formed with other states or organizations, when it is advantageous to do so. Additional bids or proposals shall be solicited from other vendors when required by law or this policy.

NDSU Guidelines

2.1 All NDSU personnel will be required to purchase from prime vendor or other annual contracts or other such pricing agreements that are established.

3. Personal property, equipment or supplies estimated at less than $10,000 may be purchased at the discretion of the institution. When feasible, informal quotes or proposals should be solicited from more than one vendor. Reasonable steps shall be taken to ensure that qualified North Dakota

vendors have an opportunity to compete for the contract. Personal property, equipment or supplies estimated at $10,000 or more must be purchased from formal bids. As many sources as possible, including qualified North Dakota vendors, should be solicited.

NDSU Guidelines

3.1 NDSU employees authorized by their respective department or unit can make a single non-repetitive purchase of a good or service in the amount of $5,000.00 or less. Purchases of $5,000.01 and above shall be processed through the NDSU Purchasing Department.

4. Consulting or other contract services and insurance estimated at less than $100,000, shall be purchased by negotiation, telephone or informal written quote or proposal. When feasible more than one vendor should be requested to submit prices to ensure appropriate competition. Reasonable steps shall be taken to ensure that qualified North Dakota vendors have an opportunity to compete for the contract. Consulting or other contract services or insurance estimated at $100,000 or more must be purchased through a formal request for proposal process that includes procedures for identifying eligible vendors, developing a comprehensive requirements document, specifying unique needs, negotiating mutually acceptable contract terms, and listing minimum proposals requirements. Payments for services may be made only according to a written contract.

NDSU Guidelines

4.1 Consulting services and insurance greater than $50,000 shall be coordinated through the Purchasing Department.

5. Personal property, equipment or supplies estimated at $10,000 or more, must be purchased from formal bids. As many sources as possible, including qualified North Dakota vendors should be solicited. All service contracts for a term in excess of three years shall include a provision for review of contract performance at specified intervals, not less frequently than once every two years. Service contracts may not exceed a term of ten years.

NDSU Guidelines

5.1 Formal bids for goods and services shall be processed through the NDSU Purchasing Department.

6. Items which do NOT require competitive bidding are purchases made from discount contracts under a group alliance or consortium, other items possessing unique characteristics or properties which because of those peculiarities are essential to the conduct of particular research projects or instructional endeavors or sole source services. Purchases of an item or service under this exception is permitted only with the written approval of the purchasing officer or other official delegated that authority based upon documentation of:

    a) The unique characteristics of the products, and

    b) Specifically what task is to be performed requiring the unique characteristics of the product.

The purchasing office shall document in writing the process in all cases in which the lowest bid is not accepted. All required documentation shall be retained according to governing records retention policies.

NDSU Guidelines

6.1 A letter of justification on any sole source purchase not covered under a term contract, priced at $5,000.00 and above shall be sent to the Director of Purchasing.

6.2 Items which do not require competitive bidding are:

a) Utilities such as telephone, electric power, and natural gas services.

b) Public books and maps, periodicals and technical pamphlets.

c) Services for the maintenance or servicing of equipment by the manufacturer or authorized servicing agent of that equipment when the maintenance or servicing can best be performed by the manufacturer or authorized service agent, or when such a contract would otherwise be advantageous to the state.

d) Direct purchases from any NDSU campus auxiliary service or internal service fund operation(s).

e) Term contracts created by the NDSU/NDUS/State Purchasing Personnel.

*f) Consulting Services up to $50,000 (**excluding** architect/engineering services) if the Contracted Services Agreement form is used or an agreement is reviewed and approved by the ~~University's General Counsel~~Attorney(s) assigned to NDSU. The Purchasing Department will determine if competitive bids are required for services greater than $50,000 but less than $100,000.*

*g) Construction/Remodeling Services up to $10,000 **total project cost**, if the Contracted Services Agreement form is used and the specifications are in compliance with applicable building codes and policies and the NDUS/NDSU "Guidelines for Architects and Engineers" manual. A copy of the completed form should also be sent to the Facilities Management Director, Thorson Maintenance Center.*

7. Preference shall be given to North Dakota bidders when required pursuant to N.D.C.C. Section 44-08-01. Accordingly, preference equal to the preference given or required in the state of a nonresident bidder shall be given in purchasing any goods, merchandize, supplies, or equipment. Also, when accepting bids for the provision of professional services, including research and consulting services, the contract shall be awarded to a resident North Dakota bidder if the bid of the resident North Dakota bidder is equal to or less than the low bid of a nonresident bidder and the resident North Dakota bidder has an acceptable performance history and meets the minimum requirements specified in the bid solicitation.

HISTORY:

Amended	July 1990
Amended	January 1997
Amended	March 2003
Amended	July 2004
Housekeeping	August 2011
Housekeeping	July 23, 2012

Policy *608* Version 1 *09/01/2015*

Policy Change Cover Sheet

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

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

SECTION: Policy 608 SUICIDE THREAT RESPONSE POLICY

25. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes include the following:
        1) Updating the title of Dean of Student Life to Assistant Vice President and Dean of Student Life
        2) Updating the title of General Counsel to NDSU's designated legal advisor
        3) Updating references made to Policy 601 Rights and Responsibilities: A Code of Student Conduct (The word behavior was changed to conduct, and information regarding involuntary withdrawal is now in Section 9.5.)

26. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted: Janna Stoskopf 9/1/15
    - Email address of the person who should be contacted with revisions: janna.stoskopf@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 608
SUICIDE THREAT RESPONSE POLICY

SOURCE: NDSU President
Division of Student Affairs, Student Life Unit

1. INTRODUCTION: Suicide is known to be a leading cause of death for college and university students. In addition, suicide, attempted suicide, and suicidal gestures have a significant detrimental effect, not only on the involved student, but on others in the campus community.

North Dakota State University (NDSU) seeks to foster a campus community free from all personal abuse, whether that abuse is directed at oneself or others. NDSU commits its resources to the following twofold process: 1) to provide crisis intervention and 2) to educate and promote discussion about self-abuse and violence.

2. DEFINITION: For the purpose of this policy, suicide is the purposeful act of causing one's own death. Attempted suicide is the act, threat, or gesture in which a person engages in life threatening behavior(s) with the intent of jeopardizing his/her life.

3. PREVENTION: The goal of educational programming offered by various units in the Division of Student Affairs is to promote understanding concerning the dynamics of suicide and to recognize behaviors that may signal suicidal intent. Periodic programming will address issues of depression, general principles of mental health, stress, and other topics related to student concerns. These collaborative educational efforts will involve staff from the Department of Residence Life, Counseling Center, and other staff who work with students from across campus.

4. PARENTAL NOTIFICATION- EMERGENCY EXCEPTION TO CONFIDENTIALITY: Suicidal situations are highly individual. The primary goal of this policy is student safety. To achieve this, appropriate family members will be contacted as necessary, under the direction of the Assistant Vice President and Dean of Student Life, to promote the safety of the student and others whose health, life, or safety may be endangered. The Family Education Rights and Privacy Act (FERPA, 34 CFR 99.36) provides for the release of normally protected student data when it is believed that the student represents a health or safety risk to self or others.

5. INTERVENTION: The University's intervention efforts begin with the Behavior Intervention Team who will rely, in part, on the expertise of the staff of the Counseling Center. Other University professional staff members will collaborate as needed to help individuals experiencing difficulties to remain in the University community.

5.a. The Assistant Vice President and Dean of Student Life may choose to seek advice from other individuals, as appropriate. In addition, the ~~University's General Counsel~~NDSU's designated legal advisor may be consulted when circumstances indicate a need.

This team will follow established procedures. This team may also participate in

decision making that could lead to separation from the community for any individual whose presence may pose a safety risk to self or others.

5.b Counseling Center: Staff from the Counseling Center will follow professional ethical
guidelines when suicidal or potentially suicidal students seek help directly from that office. The general requirement that counselors keep information confidential does not apply when disclosure is required to prevent clear and imminent danger to the client or others or when legal requirements demand that confidential information be revealed. Counselors consult with other professionals when in doubt as to the validity of an exception.

Counseling Center staff will also provide consulting services to University personnel upon request to assist staff in working with students on issues related to suicide. University faculty and/or staff members who are concerned about questions relating to suicide may call the office at any time. There is emergency service 24 hours a day all week during the academic year.

5.c. Other University Personnel:
All other University personnel are expected to observe these procedures.

6. REPORTING: Because suicidal attempts may result in death, the early identification of persons at risk for suicide is essential. Help should be sought when individuals are talking about suicide or have taken any actions that could be construed as leading to a possible suicide attempt. In emergencies contact:

On Campus	NDSU University Police	231-8998 (available 24 hours)
Off Campus	Fargo Police Department	911 (available 24 hours)

[Note: Fraternities and Sororities are considered off-campus, but residents may also call NDSU University Police for assistance in emergencies.]

7. CONSULTATION: For consultation, advice can be sought from the following:

Counseling Center	231-7671 (available 24 hours)
Residence Life Facilities	In any on-campus living facilities, help may be sought from staff including Complex Managers, Hall Directors, Resident Assistants, or any other Residence Life administrators.
Dean of Student Life	231-8240

8. ASSESSING SUICIDE ATTEMPTS AND THREATS: Once an individual has been identified as at risk for suicide, the individual is expected to cooperate with University personnel and/or medical personnel in taking any necessary measures to reduce the likelihood that a suicide attempt will be made.

9. POST-EVENT PROCEDURES: Once a suicide or attempted suicide has been reported, the following procedures will be followed by faculty or staff members:

9.1 Once the immediate emergency has passed, contact the Dean of Student Life Office (231-6537) for assistance in notifying instructors, advisers, and conducting other necessary University business. The following services may be offered as needed:

9.1.a. academic schedule adjustments

9.1.b. university withdrawal

9.1.c. notice to faculty and advisers concerning class absences

9.1.d. other appropriate University services

9.2 Class enrollment. The decision concerning continuing at NDSU will be made by the student in consultation with medical personnel, counseling personnel, academic advisors, or others necessary to make a decision that is in the best interests of the student.

10. OTHER BEHAVIORAL ACTIONS: When behaviors of students interfere with the rights of other students or disrupt the normal functioning of University, complaints about these behaviors will be processed as described in ~~*Rights and Responsibilities of Community: A Code of Student Behavior*~~*Rights and Responsibilities of Community: A Code of Student Conduct*.

10.a Campus residents. When the rights of other students are infringed upon by the behavior of a resident, the student may be refused further University living accommodations or may be required to comply with conditions established by the Department of Residence Life. Such conditions may be developed in consultation with the Counseling Center staff. Other actions may be taken as outlined in the Residence Life License Contract or as a result of a disciplinary proceeding under ~~*Rights and Responsibilities of Community: A Code of Student Behavior*~~*Rights and Responsibilities of Community: A Code of Student Conduct*.

10.b. Involuntary Psychiatric Withdrawal. In very rare instances, when all other measures prove ineffective, the University may invoke the policy on Involuntary Withdrawal as outlined in Section 9.5 of the ~~*Code of Student Behavior*~~*Code of Student Conduct*.

HISTORY:

New	September 1995
Amended	September 2003
Amended	October 2007
Housekeeping	July 2009
Amended	June 1, 2011

Policy 712 Version 1 08/31/2015

Policy Change Cover Sheet

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

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

SECTION: 712 CONTRACT REVIEW

28. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes include updating the area to contact for agreements related to Equity, Diversity & Global Outreach's mission and updating the title of General Counsel to Attorney assigned to NDSU

29. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted: Office of the Provost / Melissa Lamp
    - Email address of the person who should be contacted with revisions: melissa.lamp@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 712
CONTRACT REVIEW

SOURCE: NDSU President
SBHE Policy Manual, Section 840

1. Any contractual agreement involving North Dakota State University must be signed by the President and/or the Vice President for Finance and Administration, or their designated representative or as otherwise stated in Section 2.

2. The following positions have contractual authority in the stated areas:

Provost and Vice President for Academic Affairs	academic agreements
Vice President for Agriculture and University Extension	entitlement programs such as Hatch and McIntire-Stennis funds and USDA/CSRS noncompetitive grants; Extension Service funds such as Smith-Lever funds
~~Vice President for Equity, Diversity and Global Outreach~~Office of the Provost	agreements related to Equity, Diversity & Global Outreach's mission such as grants and/or international agreements
Vice President for Information Technology or Dean, NDSU Libraries	software site licensing contracts
Vice President for Research and Creative Activity	research grants and contracts and technology transfer documents
Vice President for Student Affairs	student affairs agreements
Director, Division of Fine Arts	Reineke Fine Arts and Askanase Hall use
Director of Purchasing	purchase agreements and leases
State Forester	Cooperative Forestry Assistance funds

3. Delegated authority to sign as a designated representative shall be in writing and submitted to the President. All contracts and contract amendments, must be approved by University General Counsel pursuant to State Board of Higher Education Policy 840. Any contract document, lease agreement, etc., not bearing an authorized signature will not be binding to the ~~University. General Counsel~~Attorney assigned to NDSU approved form contracts don't need further approval unless they are changed.
4. Written delegation must specify area of contract authority by position and/or name and be reviewed by the delegator when person in that position changes.

For more information regarding contract review, see SBHE Policy 840 and NDUS Procedure 840.

HISTORY:

New	July 1990
Amended	April 1992
Amended	November 1992
Amended	May 1996
Amended	February 2000
Amended	October 2000
Amended	January 2003
Amended	February 2005
Amended	October 2007
Amended	January 2008
Amended	December 27, 2010
Housekeeping	March 16, 2015

Policy *713.1* Version 1 *08/31/2015*

Policy Change Cover Sheet

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

SECTION: 713.1 LITIGATION HOLD

31. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes include updating the title of General Counsel to Attorney assigned to NDSU

32. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted: Office of the Provost / Melissa Lamp
    - Email address of the person who should be contacted with revisions: melissa.lamp@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 713.1
LITIGATION HOLD

SOURCE: NDSU President
ND Office of Risk Management

A "litigation hold" is the process in which documents, electronic information and other such materials are preserved pending a reasonably foreseeable litigation. A litigation hold is also known as a "preservation order," where an organization's document destruction process is suspended to preserve required documents for a pending litigation.

Potential threats of litigation can be a receipt of a summons or complaint; the filing of an Equal Employment Opportunity Commission (EEOC) charge; formal notice of investigation, the receipt of a subpoena; or even a verbal communication of the intent to sue. Once an employee receives any of the above, they should immediately inform their supervisor and the ~~Office of the General Counsel~~Attorney assigned to NDSU. The ~~Office of the General Counsel~~Attorney assigned to NDSU will then determine if the situation warrants a litigation hold for documents, and if so, implement procedures for a pre-litigation hold notice. A pre-litigation hold notice is one where no lawsuit has actually been filed yet, however, the university is preserving documentation in case litigation procedures are started. If litigation has been filed, the ~~General Counsel~~Attorney assigned to NDSU will send out a post-filing of litigation notice. Once a litigation hold notice has been issued, no documents pertaining to the litigation shall be destroyed until the litigation hold notice has been released by the ~~General Counsel~~Attorney assigned to NDSU.

Documents pertaining to a litigation hold include, but are not limited to:

- Paper originals, drafts, and copies.
- Word processing documents.
- E-mail and e-mail attachments.
- Calendars and planners.
- Spreadsheets and databases.
- Instant messages.
- Network logs.
- PowerPoint presentations.
- Manuals, publications, bulletins, and pamphlets.
- Graphic files.
- Voicemail (if a message manager program is available to save voicemails).
- Information on the website.
- Text messages.

A notice of litigation hold should:

- Identify the person(s) who are likely to have relevant information, and communicate a preservation notice to those persons;
- Communicate the preservation notice in a manner that is comprehensible and timely;
- Be in written form;
- Clearly define what information is to be preserved and how the preservation should be undertaken; and

- Be periodically reviewed and, if necessary, reissued in either its original or an amended form.

Once the litigation hold notice has been implemented, the university employees who have received the notice should then immediately suspend any and all deletion or destruction of electronic or paper documents relevant to the litigation; preserve any new documentation that pertains to the litigation; and preserve existing documentation. If a university employee separates his or her employment from the university during a litigation hold process, the supervisor should then take possession of and retain such records and documents, and notify the ~~General Counsel~~Attorney assigned to NDSU of the change in custody.

Only when the threat of litigation is over will the ~~General Counsel~~Attorney assigned to NDSU issue a release of litigation hold on the relevant documents. Such documents are not to be deleted or destroyed until such release is given by the ~~General Counsel~~Attorney assigned to NDSU, and at that time any document destruction will be in compliance with NDSU's records management policy.

To assist in understanding the legal hold process, refer to the following documents:
Anticipation of Litigation and Legal Holds
Litigation Hold Procedures
Litigation Holds and Preservation of Evidence
Litigation Hold Checklist
Destruction Hold Notice
NDSU 713: Records Management

HISTORY:

New January 27, 2011

Policy *100* Version1 *8/24/2015*

Policy Change Cover Sheet

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

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

SECTION: 100 EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

34. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? xxx☐ Yes ☐ No
    - Describe change: Effective August 1, 2015, the State Board of Higher Education changed SBHE Policy 603.2 per changes to N.D.C.C. § 14-02.4-03 (2). Changes have been made to NDSU Policy 100 to match their policy.

35. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted HR and Payroll/Equal Opportunity Colette Erickson/Lois Christianson 08/24/2015
    - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu
    -

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 100
EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

SOURCE: NDSU President
SBHE Policy Manual, Section 603.2

North Dakota State University is fully committed to equal opportunity in employment decisions and educational programs and activities, in compliance with all applicable federal and state laws and including appropriate affirmative action efforts, for all individuals without regard to age, color, disability, gender expression/identity, genetic information, marital status, national origin, physical and mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.

Discrimination against an employee or applicant for employment, with respect to working conditions, work place assignment, or other privileges of employment, merely because the employee's or applicant's spouse is also an employee is prohibited. This prohibition does not apply to employment of the spouse of a person who has the power to hire or fire, or make evaluations of performance, with respect to the person involved. Employment in a department or institution headed or supervised by the employee's spouse is permitted only if the spouse does not have the power to hire or fire or make evaluations of performance.

The following notice must be included in all departmental publication such as bulletins, announcements, manuals, publications, guidebooks, brochures, pamphlets, catalogs, application forms or recruitment materials describing or inviting participation in programs at North Dakota State University. (This notice is not required on departmental homepages.)

Non-Discrimination Policy:

North Dakota State University does not discriminate on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, physical and mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran. Direct inquiries to: ~~the Vice President for Equity, Diversity and Global Outreach, Putnam 102, (701)231-7708.~~

Equal Opportunity Specialist
Old Main 201
701-231-7708

Title IX/ADA Coordinator
Old Main 102
701-231-6409

HISTORY:

New	May 1972
Amended	April 2, 1991
Amended	April 1992
Amended	August 1993
Amended	August 1999
Amended	February 2005
Amended	December 2007
Amended	June 12 2009
Amended	July 8, 2009
Housekeeping	September 2009
Amended	June 1, 2011
Housekeeping	June 22, 2011
Housekeeping	July 23, 2014

Policy 112 Version 1 09/08/2015

Policy Change Cover Sheet

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

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

SECTION: 112 Pre-Employment and Current Employee Criminal Record Disclosure

37. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes x☐ No
    - Describe change: NDUS Board Policy Change to add expand the requirement for additional criminal background checks prior to hire.

38. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted Human Resources and Payroll, Colette Erickson, 09/08/2015
    - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 112
602.3 Job Applicant/Employee Criminal History Background Checks

~~PRE-EMPLOYMENT AND CURRENT EMPLOYEE CRIMINAL RECORD DISCLOSURE~~

SOURCE: NDSU President
SBHE Policy Manual, Section 602.3
NDUS Procedure 602.3

~~1. Job Applicants - Criminal Record Disclosure.~~

~~1.1 NDSU uses two forms (paper and online) for capturing applicants' criminal record disclosure information. All applicants for employment at NDSU, whether full-time or part-time, including student employment, must answer the criminal record disclosure questions prior to being hired. The nature of the position (full time or part time) will determine if the paper form is used or if this information is captured through the online PeopleAdmin system. Any offer is contingent on return and review of the signed form and verification. The hiring unit is responsible for obtaining the signed form prior to the final offer.~~

~~1.2 A positive response (that is, the potential offeree answers that they have a criminal record) does not preclude employment. A determination will be made based on the type of conviction, how recent the conviction is, and the relevance of any conviction to the position for which the person has applied. An offer may be withdrawn as a result of these considerations. Disclosure by an applicant for employment under this policy does not prevent the University from enforcing any other policy or requirement with regards to pre-employment criminal record disclosure.~~

~~1.3 The information shall be kept in the employee's official personnel file (http://www.ndsu.edu/policy/718.pdf) (or, for individuals not hired, with the applicant's file).~~

~~1.4 Supervisors who have a situation under this policy should consult, prior to making a final hiring determination, with appropriate personnel, for example, Vice President in the Office of Equity, Diversity, and Global Outreach (for non-broadbanded positions), Director of Human Resources/Payroll (for broadbanded positions), University General Counsel, or their Department Chair or Dean.~~

1. Definitions:

   a. CHRC: Criminal History Records Check
   b. SOR: Sex Offender Registry
   c. FBI: Federal Bureau of Investigation
   d. BCI: Bureau of Criminal Investigation
   e. Benefited positions: as defined in SBHE Policy 703.2
   f. New hires: includes
      1. Re-hires, transfers, and promotions within the same institution, except when a CHRC and SOR check has been completed at the employing institution within the

last 120 days. Promotions do not include faculty promotions when moving from one faculty rank to another faculty rank (e.g. instructor to assistant professor, etc.); and,

2. Transfer from another NDUS institution.

2. ~~Criminal History Background Checks.~~ A nationwide FBI CHRC is authorized for all NDUS positions.

3. A nationwide FBI CHRC ~~criminal history background check~~ is required before beninning employment in the following positions:~~authorized for the following positions:~~

   a. Police officer;
   b. Security guard; and
   c. University Police Dispatchers/Call Center Operators.

4. CHRC and SOR checks are required for new hires for the following positions:
   a. All benefited positions; and

   b. ~~The following positions, whether benefited or non benefited~~: Non-benefited positions, including volunteers who:

      1. have access to confidential or proprietary information;
      2. have master keys;
      3. have access to cash, credit, debit or other financial transactions;
      4. are resident hall and/or apartment managers, directors or assistants;
      5. are child care employees and other employees who have unsupervised contact with minor children;
      6. are responsible for, or with access to, controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances;
      7. are instructional faculty and staff, including graduate teaching assistants; and,
      8. are counselors and coaches.

~~1. Chancellor, institution president and vice presidents;~~

~~2. Police officer and security guard;~~

~~3. Resident hall and apartment manager or director and assistants;~~

~~4. Information technology staff;~~

~~5. Employees responsible for or with unsupervised access to cash, credit, debit or other financial transactions or numbers, or confidential or other protected information, including medical records, social security numbers, tax, retirement, or vendor or contractor proprietary or other confidential information;~~

~~6. Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities;~~

7. ~~Child care employees and other employees who have unsupervised contact with children;~~

8. ~~Part-time instructional staff;~~

9. ~~Employees responsible for or with access to controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances; and~~

10. ~~Counselors and coaches~~.

4.1 ~~As stated in SBHE Policy 602.3, a nationwide FBI criminal history background check is required before beginning employment in the following positions:~~
~~a. Police officer; and~~
~~b. Security guard.~~

5. ~~A criminal history records check~~ The CHRC, ~~which~~ may be a North Dakota BCI check, a nationwide FBI ~~nationwide~~ check or check of another state or multiple jurisdictions~~, is required before beginning employment in the following positions:~~

~~a. *All new benefitted hires;*~~

~~b. Chancellor, president, *provost*, and vice presidents;~~

~~c. Resident hall and apartment manager or director and assistants;~~

~~d. Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities;~~

~~e. Child care employees and other employees who have unsupervised contact with children;~~

~~f. Employees responsible for or with access to controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances; and~~

~~g. Counselors and Coaches.~~

~~*The level of check will be determined by the hiring department upon consultation with the central administrative office conducting the search.*~~

~~5. Current Employees~~

5.1 ~~Current employees have a duty to immediately report a criminal conviction covered under this policy (all felonies; and misdemeanors involving violence and theft; or any offense requiring one to register as a sex offender) to their supervisor and the Director of Human Resources/Payroll. See Policy 155 for arrests and convictions involving drugs and alcohol in the workplace. Additional evidence about the conviction (example, the judgment of conviction) may be placed in the employee's official personnel file. The employee can add a statement pertaining to the conviction. Whether the conviction has an effect on employment status will be determined by the supervisor after consultation with appropriate personnel. (See section 4 above.) The employee can request that the conviction information be removed from the employee's official personnel file after misdemeanors are over 5 years old and 10 years for felonies.~~

5.2 ~~Information regarding this subsection shall be provided to employees as part of the NDSU Annual Notice of Policies Covered under the ND Risk Management Program.~~

5.3 ~~All current employees are required to sign a Criminal Record Disclosure Form.~~

5.4 ~~Employees arrested or charged by summons to appear for crimes covered by this policy, or for a crime otherwise job related (e.g., a DUI if driving is a job requirement), have a duty to notify their supervisor and the Director of Human Resources/Payroll within five days of the arrest or receipt of the summons. While an arrest is not a conviction, NDSU will determine any potential actions or consequences on a case by case basis.~~

6. The CHRC and SOR checks must be completed before beginning employment. If there is an urgent documented need to start employment within seven working days of selection and prior to the completion of the check, the employee may begin work as scheduled, under proper supervision; however, continued employment is subject to successful completion of the checks.

HISTORY:

New	July 1, 2002
Amended	February 2006
Amended	October 2007
Amended	December 2007
Amended	June 23, 2009
Housekeeping	November 15, 2010
Housekeeping	December 28, 2010
Amended	February 7, 2012

Policy 133 Version 1 09/08/2015

Policy Change Cover Sheet

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

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

SECTION: 133 Educational Policy

40. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes x☐ No
    - Describe change: NDUS Board Policy Change in what classes are covered and how much discount will be given.

41. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted Human Resources and Payroll, Colette Erickson, 09/08/2015
    - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 133
EDUCATIONAL POLICY

SOURCE: SBHE Staff Human Resources Policy Manual
SBHE Policy Manual, Section 820.2e4

The North Dakota State Board of Higher Education encourages its employees to pursue a program of continuing education.

1. For courses taken at the request of the employee, institutions shall waive or provide tuition assistance for benefited employees, limited to three approved for-credit undergraduate or graduate courses during each calendar year, in any combination of subsections 1 and 2 as follows:
    1. For courses taken at the campus of employee regardless of delivery type: 100% tuition and fee waiver is provided, with the exception of the CND, NDSA, program and course fees which shall be paid by the employee.
    2. For courses taken at another NDUS campus, other than the campus of employment, regardless of delivery type: a system-wide fixed 50% employer paid tuition assistance, with the employee paying the remaining 50% of tuition and 100% of all fees.

~~1.~~2. ~~An institution shall waive tuition, the student government activity fee and the university/college fee for "benefited employees" employed on at least a half-time basis regardless of probationary employment status of the North Dakota University System.~~

1.1 *Employees who are eligible for this educational benefit are not eligible for the graduate assistant tuition waiver absent exceptional circumstances.*

~~2.~~3. ~~The waiver is limited to no more than three academic classes per calendar year.~~

~~3.~~4. Employees may be released from work for one face-to-face regular class sessions for one academic class per semester with approval of the employee's immediate supervisor and/or department head. Approval may be granted if it does not interfere with completion of the employee's essential job duties and the essential work of the institution.

~~4.~~5. *This policy is applicable to any degree eligible course, regardless of delivery system, for NDSU employees only. This includes, but is not limited to, self-support and online courses, that would be normally accepted toward a degree program. For these types of courses, the policy does not apply to employees of other institutions or of the university system.*

~~4.1~~5.1 *Waivers cannot be used for third party sponsored, grant funded, consortium, study abroad, study tour, or remedial courses.*

~~5.~~6. Release time may be granted only for the amount of time required to attend the regular class session. Field trips and outside class activities are not included.

~~6.~~7. The waiver is applicable to all University system institutions of higher education and the Tri-College University Course Exchange.

~~7.~~8. Regular employees, who are not North Dakota residents, may receive a waiver from the non-resident portion of tuition requirements for courses beyond the three classes per calendar year.

~~8.~~9. **Procedure:**

8.1 The employee must obtain initial approval from his/her immediate supervisor and/or department head and final approval from the Human Resources and~~/~~ Payroll Office.

8.1.1 To obtain a tuition waiver, employees must complete the~~a~~ standard "NDUS Employee~~Faculty/Staff~~ Tuition Waiver or Assistance form~~Request"~~ form which is available in the Human Resources and ~~/~~Payroll Office.

8.1.2 The request for a tuition waiver must be submitted and approved prior to the beginning of the class for which the waiver is requested.

8.1.3 No employee who has an overdue accounts receivable balance with the University may receive a tuition waiver.

8.2 Upon approval, employees are responsible for registering for classes through regular admission/registration procedures.

HISTORY:

New	July 1990
Amended	April 1991
Amended	November 1992
Amended	January 1994
Amended	January 1996
Amended	February 1996
Amended	August 1997
Amended	February 1998
Amended	August 1999
Amended	October 2000
Amended	April 2002
Amended	May 2003
Amended	February 2006
Amended	February 2009
Amended	October 18, 2010
Housekeeping	January 2011
Housekeeping	November 8, 2011

Policy *143* Version *1 08/24/15*

Policy Change Cover Sheet

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

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

SECTION: 143 SICK/DEPENDENT LEAVE

43. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☐ xxxNo
    - Describe change: State Board of Higher Ed policy 7 Sick/Dependent Leave has changed due to the legislative passing of House Bill 1403 and House Bill 1387, effective August 1, 2015.

44. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted Human Resources and Payroll 08/24/2015
    - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu
    -

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 143
SICK/DEPENDENT LEAVE

SOURCE: NDSU PRESIDENT
NDUS Human Resource Policy Manual

1. Sick leave, including maternity, is a benefit granted by the University to eligible employees and is not a benefit considered to be earned by the employee such as annual leave. It is an insurance benefit allowing employees to build a reserve of days they can use for their extended illnesses. *Abuse of this benefit may be grounds for disciplinary action or termination.* Employees are responsible for informing their supervisors prior to the start of their work schedule of their sickness.

    1.1 The employing department may require satisfactory medical verification as deemed necessary by the department head prior to the payment of sick leave.

    1.2 The employee is responsible for furnishing their supervisor or department head with a completed "Notification of Employee Leave" card upon returning to work.

    1.3 Sick leave may only be used in place of regularly scheduled work hours and shall not cause overtime.

2. Sick leave is granted on the basis of continuous service from date of employment for benefited staff employees, *and benefited 12-month academic staff and other non-banded staff.*

3. Sick leave for full-time eligible employees accrues based on rate per hour at a rate equivalent to 12 days per year. Sick leave for eligible part-time employees working 20 hours or more per week is granted on a prorated basis. Sick leave accumulation is unlimited.

4. Sick leave may be granted to employees who become ill while on vacation provided satisfactory medical proof of such illness is submitted.

5. When a holiday occurs during a paid sick leave, the holiday is not considered a day of sick leave.

6. Upon termination, employees with ten years of continuous state service will receive a payment equivalent to 10% of the dollar value of their accrued sick leave. The amount is computed on the basis of the employee's salary at the time of termination and shall be in the form of a lump-sum payment.

7. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll, an employee may be granted sick leave in advance of the accumulation thereof. Any sick leave taken in advance of accumulation may be deducted from the employee's last paycheck provided the employee has signed an agreement authorizing the deduction. *This agreement must be submitted to and approved by the Office of Human Resources~~/~~ and Payroll*

prior to the employee obtaining a negative accrual balance.

8. *Unless an approved leave of absence has been granted, an employee who is off the payroll for one year shall lose unused sick leave.*

9. Accrued sick leave is transferable from any state agency to the employing institution if employment with the institution occurs within one calendar year of separation of service with the state agency. In the event of a Reduction in Force, sick leave is transferable if reemployment occurs within two calendar years.

10. Sick leave may be used by the employee when:

10.1 The employee is ~~ill or injured and is~~ unable to work due to a mental or physical condition (including maternity).

10.2 The employee has an appointment for the diagnosis or treatment of a medically related condition.

10.3 The employee wishes to attend to the needs of an eligible family member who is ill or to assist them in obtaining other services related to their health ~~or well-being~~. Eligible family members include the employee's spouse, parent (natural, adoptive, foster, and step-parent); child (natural, adoptive, foster, and step-child); or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family member.

10.4 Sick leave used for the purposes described in 10.3 shall not exceed eighty (80) hours per calendar year~~, except that with the concurrence of the employing department and the Office of Human Resources/Payroll, an employee may take up to an additional ten percent of the employee's accrued sick leave to care for an eligible family member who has a serious health condition provided medical certification is obtained. The calculation of this additional amount which is available to be taken by an employee is based upon the sick leave balance of the employee at the time of approval. Once these hours have been exhausted, the employee must then use annual leave for situations outlined in 10.3~~.

10.5 In the case of a serious health condition of an eligible family member, an employee may take up to a total of four-hundred-eighty (480) hours of sick leave in any twelve-month (12) period, including the eighty (80) hours in ~~subsection (c.)~~ section 10.4 above.

10.6 The employee is caring for a newborn child or for a child placed with the employee, by a licensed child-placing agency, for adoption or as a precondition to adoption, but not both. Sick leave in such cases is limited to six (6) weeks during the first six (6) months from birth or placement.

10.7 The employee seeks for oneself or to assist a parent, child, spouse, sibling, or any other individual who regularly resides in the household or who within the prior six months regularly resided in the household, with the consequences of domestic violence, a sex offense, stalking, or

terrorizing. Sick leave may be used to seek legal or law enforcement remedies; treatment by a health care provider for physical or mental injuries; obtain services from a domestic violence shelter, rape crisis center, or social services program; obtain mental health counseling; and participate in safety planning, relocation or other actions to increase the employee's or immediate family member's safety from future domestic violence, a sex offense, stalking or terrorizing. The immediate supervisor may limit the use of sick leave for this section to forty (40) hours per calendar year.

11. *The accrual of sick leave shall be prorated for the pay period in which employment begins or ends.*

12. *Sick leave is not accrued during developmental leaves or leaves of absence without pay.*

13. *Accumulated sick leave may be used for any period(s) of actual disability caused or contributed to by pregnancy. Beyond the period of disability, an employee may request use of annual leave, family leave, and/or leave without pay to provide for an extended post-delivery period away from work.*

14. *"Notification of Employee Leave" cards are processed on an on-going basis. Each department is responsible for verifying the Departmental Leave Report. Late leave cards and errors must be submitted to the Office of Human Resources/Payroll for entry and/or corrections.*

HISTORY:

New	July 1990
Amended	April 1992
Amended	July 1997
Amended	April 2002
Amended	January 2004
Amended	November 2005
Amended	January 2007
Amended	March 2008
Amended	November 7, 2011
Housekeeping	July 12, 2013

Policy *171* Version *1* *August 19, 2015*

Policy Change Cover Sheet

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

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

SECTION: 171 Staff and Faculty Recruitment and Moving Expenses

46. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☒ Yes ☐ No
    - Describe change: SBHE Policy Change to 806.3

47. This policy change was originated by (individual, office or committee/organization):
    - HR/Payroll, Colette Erickson and Tricia Johnson
    - Accounting, Ramona Adams
    - Colette.Erickson@ndsu.edu, Tricia.Johnson@ndsu.edu, Ramona.Adams@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 171

STAFF AND FACULTY RECRUITMENT AND MOVING EXPENSES

SOURCE: SBHE Policy Manual, Sections 806.2 and 806.3
NDSU Policy Manual

1. Stipends or consultant fees may be issued to potential candidates for positions when such persons give on-campus lectures, colloquies, seminars, demonstrations or formal consultations in a manner not significantly different from that of visitors who are not candidates for positions. Such stipends or consultant fees may be authorized from a lecturers' budget or from a consultant budget. *(NDSU Guidelines: Reimbursement is made by an* ***Accounts Payable voucher****, using account 623025.)*

2. Recruitment travel expenses for a prospective candidate for faculty or staff positions may be reimbursed upon approval of department head/chair.

3. For senior administrative and faculty positions, upon authorization of the President, recruitment travel expenses for the spouse may be authorized for a prospective candidate.

~~I. Upon approval of the president or designee, moving expenses may be reimbursed when staff are initially hired from outside the University system, and when regular staff employed for one year are transferred to a new work location within the system at the direction of the employer. Personal travel as described below in 4.1 and 4.2 are part of moving expenses and included in the allowable reimbursement for moving expenses.~~

~~4.1 Personal travel for the employee and immediate family while in transit, and while in temporary living quarters (both not to exceed 10 days total) may be reimbursed at the actual per diem rates and mileage rates applicable under the employee travel reimbursement policies.~~

~~4.2 Personal travel may also be reimbursed for one round trip to the new work location for the employee and spouse for up to three days to arrange for living accommodations.~~
~~[Note: "spouse" used here as required by NDUS Policy 806.3.]~~

~~4.3 Transportation expenses for personal items and household goods may be reimbursed at the actual expenses incurred.~~

~~4.4 The total reimbursement for transporting personal items, household goods, and personal travel shall be limited to the invoice costs plus the current per diem and mileage limits. In addition, the total reimbursement limit for regular employees transferred within the system is limited to $5,000. NDCC Section 44-08-04.3.~~

4. Upon approval of the president or designee(s), an institution may, subject to the limits of this policy, pay the moving expenses of a benefited employee hired from outside the institution by:

4.1. Negotiating an amount paid to the employee through payroll as a lump sum for relocation expenses. Such allowance will be reported as taxable income and included on the employee's W-2. The moving allowance will be subject to all tax liabilities at the time of payment; OR

4.2. Using a combination of reimbursing the employee for actual moving expenses and paying the vendor(s) directly. Actual moving expenses include direct travel to and from the new work location, and while in temporary living quarters for the employee and immediate family (not to exceed 10 days total). Meals and mileage expenses will be reimbursed at the per diem and mileage rates established for employee travel reimbursement. Lodging expenses will be reimbursed at the actual cost of the lodging. Transportation expenses for personal items and household goods may be reimbursed at the actual expenses incurred. Additionally, personal travel expenses may also be reimbursed for one round trip to the new work location for the employee and employee's spouse/partner for up to three days to arrange for living accommodations. It is the responsibility of the employee to provide sufficient documentation to justify the reimbursement; the institution may deny any claim for reimbursement that is not sufficiently documented. Institutions will need to refer to IRS rules and regulations regarding taxability of the expenses in part 4.2.

(Institutions may use either method (4.1 and 4.2, above) but must choose one or the other when paying each individual employee.)

5. Relocation expenses being paid or reimbursed should not exceed one month's salary or a "not to exceed" amount approved by the president or designee(s). *(NDSU LIMITATIONS: Reimbursement for relocation expenses should not exceed one month's salary or $3,000, whichever is greater. Deviations from this rate must be approved by the President and will only be granted in exceptional circumstances.)*

~~II. No other staff moving expense may be paid without approval of the Board.~~

The following item is NDSU Guidelines:

6. *The NDSU Accounting Office website provides information on the detailed procedures for processing moving expense transactions under this policy.*

HISTORY:

New	July 1990
Amended	April 1992
Amended	January 1995
Amended	April 2005
Amended	August 2006
Amended	June 9, 2011
Housekeeping	July 8, 2011
Housekeeping	September 12, 2012
Amended	September 25, 2012
Amended	October 4, 2012

Policy Change Cover Sheet

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

SECTION: *337 ~~Examinations and Grading~~Grade Appeals Board*

49. 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).
    - *Changes are being made to clarify the process and eliminate ambiguous language.*

50. This policy was originated by (individual, office or committee/organization):
    - *Provost's Office ((Charlene Wolf-Hall))*
    - *Charlene.hall@ndsu.edu*
51. This policy has been reviewed/passed by the following (include dates of official action):

This portion will be completed by Melissa Lamp

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

If you have any questions regarding this cover sheet, please contact Melissa Lamp at 1-6133 or Melissa.lamp@ndsu.edu.

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

North Dakota State University Policy Manual

SECTION 337 ~~EXAMINATIONS AND GRADING~~GRADE APPEALS BOARD

SOURCE: NDSU President Faculty Senate Policy

The Grade Appeals Board purpose and membership are established in Part XI of the Faculty Senate Bylaws.

GRADE APPEALS BOARD PROCEDURES AND PREREQUISITES FOR APPEAL:

1. The Board may be utilized only after the student has exhausted all possible appeal routes within the college offering the course involved. Each individual college will be expected to specify such appeal routes, but the following guidelines should be adhered to as closely as possible and will apply in the absence of any specialized procedures.

The academic freedom of instructors is acknowledged in this policy and as such, the evidence for overturning a grade assigned by an instructor must be overwhelming and clearly demonstrate that the instructor used inappropriate or irrelevant factors in determining a course grade. Situations in which a student might consider an appeal include but are not limited to the following:

- perceived violations of the grading policy, as stated in the course syllabus
- other violations of NDSU policy pertaining to student grading
- influence of irrelevant factors such as race, sex, or personal animosity
- erroneous grading (e.g. mathematical error)
- inequitable grading
- medical or other hardship that 1) could justify either a course grade of "incomplete" or exemptions from specific grading components in the grade computation, and 2) was communicated with the instructor in a timely manner when the issue(s) arose.

Grade assigned as a result of Policy 335 ~~processes~~: Code of Academic Responsibility and Conduct may not be appealed using this policy and its processes.

a. A student ~~must~~who disputes an assigned grade may initiate a request for a change of a grade with the instructor within fifteen (15) instructional days of the first day of the semester immediately following the semester in which the grade was awarded. For Spring Semester courses, the request ~~may~~must be made within fifteen (15) instructional days of the start of Fall Semester~~, if the student is not enrolled for a Summer term but is enrolled in Fall Semester.~~ .

An appeal is deemed formally initiated when the student presents the Grade Appeal Form to the instructor. The Grade Appeal should also include the following as supplementary material:

- the course syllabus including grading procedures
- the grade originally assigned and the requested grade change
- the justification for the proposed grade change based on the specific disputed criterion (e.g. an assignment, project, or exam grade) and the grading system outlined in the course syllabus.

The instructor must date and initial the form ~~at that point~~upon receipt. Within five (5) instructional days, the instructor shall inform the student, via NDSU email, of his/her decision, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, date and sign the Form~~, and then return the Form to the student.~~ . If the appeal is approved, the form along with a memo and/or Grade Reporting Form indicating the new grade shall be returned to Registration and Records. If the appeal is denied by the instructor, the Form is returned to the student to proceed to the next level if desired.

b. If there is an unsatisfactory decision at the instructor level, the student ~~must consult~~ may present the appeal to the department chair/head~~, and the dean or a designated college committee, proceeding from one level to the next only after an unsatisfactory decision of the conflict at that level. In the event that~~ within five (5) instructional days. The chair/head should return his/her decision on the appeal to the student. If the instructor

is also the department chair/head or dean, he or she need only be consulted in the capacity of instructor~~. The student shall have five (5) instructional days following~~ and the appeal may be continued at the college level.

c. If an unsatisfactory ~~outcome of the appeal to continue with the appeal~~decision is rendered at the ~~next~~department level, the student may proceed to the college dean within five (5) instructional days.

d. At each stage, the individual considering the appeal shall inform the student and instructor of his/her decision within five (5) instructional days, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.
~~c. The instructor must be informed of all proceedings in Section b above by the person in charge at the level.~~
~~d~~
e. Both the instructor and the student shall have the right at any time during the proceedings to call a meeting of all persons involved in submitting and considering the appeal and, optionally, to invite the Board to send an observer to that meeting.
~~e~~
f. In the event that the instructor~~ is no longer employed by North Dakota State University, or~~ is on leave from the University, the instructor may designate another faculty member from within the department to represent his/her interest in the grade appeal. If the instructor is no longer employed by North Dakota State University, or is not available to designate a substitute, the department chair/head shall represent the absent faculty. If the department head cannot act impartially, a substitute shall be designated by the dean.

2. In the event of an unsatisfactory decision ~~within~~at the college level, the student may submit a formal written appeal to the Grade Appeals Board Chair. Such an appeal shall be made within fifteen (15) instructional days after conclusion of the college proceedings as stated above.

3. ~~In~~ A college dean or a department chair/head, with approval of the college dean, may change a grade without the instructor's approval in extraordinary circumstances~~ (such as~~. Such circumstances include avoiding a clear injustice or mistake~~,~~ (e.g., ~~an~~a clear mathematical error, violation of policy, or instructor ~~leaves, refuses~~refusal to respond to inquiries about the grade~~, there is a mathematical error or violation of the syllabus), and after the procedures in Subsection 1 above have been completed, a department head, with approval of the dean of the college, can change a grade without the instructor's approval.~~). In such cases, a note of record explaining the basis for the decision and the new grade shall be filed with the Registrar. An instructor can appeal such a grade change to the Grade Appeals Board pursuant to this Policy. Colleges can adopt procedures to implement this subsection.~~ (Note: The purpose of this provision is to avoid compelling the student to go through the formal appeal to the Grade Appeals Board where the outcome is certain and clear in the student's favor.)~~

4. The Grade Appeals Board Chair will handle appeals~~.~~ that proceed to that level.

5. ~~The~~In case of student appeal to the Grade Appeals Board, the Chair will send a copy of the appeal ~~document~~documents to the instructor within ten (10) instructional days. The instructor will have fifteen (15) instructional days to respond directly to the Board Chair with any additional information regarding the student's appeal.

6. The Board Chair will then distribute copies of the appeal document and the instructor's response to all Board members and the instructor within five (5) instructional days. If a Board member is unable to participate in the proceedings, his or her alternate will act for the member.

7. Each Board member (or alternate) must inform the Board Chair in writing within five (5) instructional days indicating whether there is a need to hold a meeting to discuss the appeal. If ~~all~~at least two-thirds of the members indicate that the student has not made a legitimate case for appeal, the appeal is denied and the student is notified, through NDSU email, within five (5) instructional days of the Board's decision. Otherwise, the Chair will ~~call~~schedule a meeting of the Board within ten (10) instructional days.

8. A quorum for the meeting will consist of at least 50% of the faculty members and at least 50% of the student members. At this meeting, the Board will raise any questions unanswered by the appeal and instructor's response. The Board will then vote to decide whether to hold a hearing based on the ~~following criteria:~~evidence presented by the student ~~presented evidence of prejudicial grading or raised questions of the possibility of prejudicial grading.~~and instructor. A hearing will be scheduled within fifteen (15) instructional days if a ~~simple~~ majority of members present vote to hold a hearing. If the appeal is denied, the Board Chair may provide a brief explanation for the decision.

9. If the Board decides to hear the appeal, it shall provide the instructor and student with a copy of any written statement provided to the Board by the other party.

10. If an appeal is made by the instructor of the course against the grade change instituted by the chair/head or the dean, the instructor will have recourse to the same procedures outlined for student appeal in 337.7.8.9.

HEARING PROCEDURES

1. General Provisions

a) If the Board decides to hear an appeal, it shall designate from among its total membership a panel of seven members to hear the appeal. Four members of the panel shall be chosen by lot by the Board Chair from the faculty membership of the Board, and two additional members of the panel shall by chosen by lot by the Board Chair from the student membership of the Board. The seventh member of the panel shall be the Board Chair, who shall serve as a non-voting moderator of the hearing panel. In order to avoid any conflict of interest, a board member who believes that he/she may not be able to hear a case fairly shall recuse himself/herself and shall be replaced by his/her alternate. ~~Additionally,~~Both the student and the instructor shall be informed of the members slated to serve at the hearing. The student and the instructor shall each have one peremptory challenge to remove a board member from service on the hearing panel. A challenged board member shall be replaced by his/her alternate. In the event that a challenged board member is an alternate, another member of the board shall be chosen by lot to serve on the hearing panel. The word "Board" shall be used hereafter in these hearing procedures to describe the seven-member hearing panel so elected, or the full Board, in the event it decided to hear an appeal of a hearing panel decision.

b) All hearings are normally open only to those people who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the student, instructor, and Board Chair. Because the hearing involves non-directory academic record information, as defined by the Family Educational Rights and Privacy Act of 1974, it is not open to the public and the content may not be further disclosed without explicit written consent of the student involved.

c) The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings and advise his/her party. Unless allowed by the Board Chair, the advisor/counsel will not be permitted to address the Board or witnesses.

2. Evidence. Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all reasonable and relevant information to be presented for the Board's consideration.

a) The Board shall allow an initial presentation by the student and then by the instructor involved~~,~~ (or by the instructor and then by the student, in case of instructor appeal), after which it may call on such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.

b) Hearsay evidence is permitted; the members of the Board may consider such evidence and assign it any weight appropriate by each individual Board member.

c) An absolute right of cross-examination is not granted under this policy. All questions will be directed through the Board Chair. The Board Chair will allow all relevant and reasonable questions to be placed to either party or their witnesses, but retains the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude by the Board Chair to respond to those questions fully.

d) Either party or their witnesses before the board will be permitted to elaborate on written documents previously submitted to the board in their oral presentations to the board.

e) Parties planning to bring exhibits to a hearing must generally provide copies of those exhibits to the other parties and the members of the board ~~three (3~~five (5) instructional days prior to the hearing to allow for a review of exhibits and the development of any pertinent questions. The Board Chair may permit deviations to this time restriction so long as the other party has sufficient time to prepare an adequate response.

f) The Board Chair shall have the right to exclude from the hearing and the record any unreliable, biased or redundant evidence.

g) On questions requiring academic expertise, the Board shall rely heavily on the testimony of other members of the department involved, or throughout the NDSU academic community.

h) In reaching a decision the board shall consider only information produced at the hearing and will evaluate the information using the "more likely than not" standard of proof. The burden of proof shall be on the student to establish that his/her grade should be changed~~.~~, or on the instructor that the original grade should be retained.

i) All hearings of the board will be recorded up to the point of the board's deliberations necessary to render a decision. A copy of the recording shall be retained in the Office of the Provost ~~and Vice President of Academic Affairs~~ for a period not less than three (3) years. The board will allow controlled access to the record for review or transcription by either the student or the instructor.

3. Hearing outline.

a) The Board Chair will call the meeting to order and will introduce the members of the board and their function within the University community.

b) The Board Chair will describe the general outline of the hearing and read the evidentiary rules to the board. The Board Chair will read the following honesty statement.

"The University expects that all information presented in this hearing will be true and correct to the best of each person's knowledge. If a student willfully provides false information, he/she will be in violation of NDSU's Code of Student Behavior. As a result, he/she may be subject to disciplinary action. Dishonest behavior by any faculty or staff member will be reported to that person's supervisor for any necessary disciplinary action."
All potential witnesses will be advised of this honesty statement in advance.
c) The Board Chair will excuse witnesses from the room at this point.

d) The Board Chair will introduce the student/instructor who will present the appeal and any evidence.

e) The Board Chair will introduce the instructor/student who will respond to the student's/instructor's appeal and present any additional evidence.

f) The student or the instructor will be allowed to present witnesses, who will be allowed to make statements and may be asked questions by the student, instructor, and/or members of the Board. Questions by both parties must be directed to the Board Chair, who will then determine if the question is relevant to the

proceeding, ask if the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

g) The instructor or the student will be allowed to present witnesses, who will be allowed to make a statement and may be asked questions by the student, instructor and/or members of the Board. Questions by both parties must be directed to the Board Chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

h) The board may compel the attendance of any essential witnesses from the NDSU academic community to present testimony. Such witnesses will be allowed to make a statement and may be asked questions by the student, instructor, and/or members of the board. Questions by both parties may be directed to the Board Chair, who will then determine whether the question is relevant to the proceeding, ask whether the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

i) Final questions will be permitted by the members of the board, who may question either party and/or their witnesses.

j) The student shall have an opportunity to make a closing statement.

k) The instructor shall have an opportunity to make a closing statement.

l) Both parties and their witnesses will be dismissed for deliberations by the Board and recording will stop at this point. Only board members, the Board Chair, and the Board's counsel/advisor (if designated) may be present during deliberation.

m) The voting members of the Board will determine, by two-thirds majority vote, if the student's/instructor's appeal should be granted. If the student's/instructor's appeal is granted, the Board Chair shall propose upholding the instructor's original grade, in case of instructor's appeal, or a revised grade in case of student appeal. A second vote shall then be held to determine by ~~simple majority~~two-thirds majority vote whether the ~~original or~~
original, proposed, or alternate grade be accepted by the Board. The grade determination process shall be repeated until the board either approves a grade by a ~~simple~~ two-thirds majority in case of student appeal, or sustains the original grade in case of instructor's appeal. All votes shall be conducted by secret ballot.

n) The Board Chair will send a written notice of the board's findings to the student, instructor, department head, and dean within ten (10) instructional days of the hearing. If the board votes to change the student's grade, notice shall also be sent to the University Registrar regarding the grade change. If the original grade is retained, the relevant parties, including the Registrar, will be notified. The written notice shall include an explanation of the board's rationale in making its decision and a signed copy of the Grade Appeal Form attesting to the board's decision.

4. The Board may not release any information about its investigation to anyone but the parties directly involved. All Grade Appeals information is confidential and may not be disclosed in whole or in part except as provided under the Family Education Rights and Privacy Act (FERPA) or other applicable law or policy.

APPEAL

Either the student or the instructor may request within fifteen (15) instructional days of a hearing panel decision, that the full Board hear an appeal from the decision, citing the material error(s) of process or procedure that could have affected the outcome by the hearing panel that would justify a new hearing. Appeals of outcome are not permitted. The Board shall meet to consider such a request, but no voting member of the hearing panel shall be eligible to vote on granting a new hearing. Instead, alternate members shall replace those Board members who served on the hearing panel. If a majority of the full Board votes to accept the appeal, it shall proceed to hold a hearing in accordance with the hearing procedures above, again using alternate members in place of those who served on the hearing panel. The Board Chair shall serve as a non-voting moderator at the appeal hearing, and a two-thirds vote by secret ballot of the full Board shall be required to uphold the student's appeal and approve a change in grade. or to uphold the instructor's appeal and approve a grade change to what was originally posted. A separate simple majority vote shall determine what the student's new grade shall be.
The decision of the Board is final.

HISTORY: New May 15, 1972
Amended May 1986
Amended April 1992
Amended April 2000
Amended April 2001
Amended March 2002
Amended December 2006
Amended October 2007
Amended February 2008
Amended June 2009
Housekeeping August2009
Housekeeping February 14, 2011
Housekeeping May 31, 2011
Amended November 07, 2011

Policy 347 Version 8 09/08/015

Policy Change Cover Sheet

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

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

SECTION: 347 Institutional Biosafety Committee

52. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☒ Yes ☐ No
    - Describe change: The new section 3 is proposed to meet the requirements set forth in the U.S. Governmental Policy for Oversight of Life Sciences Dual Use Research of Concern and the U.S. Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern

53. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted
    - Office of the Vice President for Research and Creative Activity
    - September 8, 2015
    - Email address of the person who should be contacted with revisions
    - Jolynne.Tschetter@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 347
INSTITUTIONAL BIOSAFETY COMMITTEE

SOURCE: NDSU President

1. The National Institute of Health (NIH) Guidelines require that each institution conducting or sponsoring recombinant DNA research is responsible for ensuring that research is conducted in accordance with NIH Guidelines. In addition, institutions must establish an Institutional Biosafety Committee (IBC) composed of no fewer than five members collectively having experience and expertise in recombinant DNA research.

   North Dakota State University endorses this regulation and has an established Institutional Biosafety Committee. The NDSU IBC's purpose is to assure the safe use of recombinant DNA, infectious agents, and human blood, bodily fluids, or tissues, in research and teaching, and to maintain compliance with NIH Guidelines and additional federal regulations.

2. All project directors of research and teachers of courses involving recombinant DNA, infectious agents, or human blood, bodily fluids or tissue at NDSU, or conducted by representatives of NDSU, are responsible for submitting the protocol forms required for review and approval by the NDSU Institutional Biosafety Committee.

3. As part of its commitment to ensuring that life science research is being conducted according to federal regulations, North Dakota State University has established an Institutional Review Entity (IRE) and an Institutional Contact for Dual Use Research (ICDUR).

   The purpose of the IRE is to determine if life science research meets the federal definition of Dual Use Research of Concern and to, as needed, work with the PI and others to draft a Risk Mitigation Plan. The IRE shall be an *ad hoc* subcommittee of the IBC comprised of 5 members from the IBC with the Biological Safety Officer and ICDUR acting as consultants. On a case by case basis, other individuals with specific expertise may be added to the IRE as members or called on to act as consultants.

   The responsibilities of the ICDUR shall reside with the Vice President for Research and Creative Activity or designee and minimally shall include to serve as an institutional point of contact for questions regarding compliance with and implementation of the requirements for the oversight of Dual Use Research of Concern as well act as the liaison between the institution and relevant federal funding agencies.

~~2.~~

~~3.~~4. Further information about the IBC can be obtained from the Office of Sponsored Programs Administration (Research 1, Rm 132, phone 701.231.8114, email: ndsu.ibc@ndsu.edu).

   The NDSU Institutional Biosafety Committee is administered by the Office of Sponsored Programs Administration (Division of the Vice President for Research and Creative Activity).

HISTORY:

New	July 31, 2001
Housekeeping	March 16, 2015

Policy Change Cover Sheet

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

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

SECTION: 350.1 BOARD REGULATIONS ON ACADEMIC FREEDOM AND TENURE; ACADEMIC APPOINTMENTS

55. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes X☐ No
    - Describe change: Change the language to allow research professorships at the ND Agricultural Experiment Station Research and Extension Centers to be paid on state-appropriated monies. (Right now the policy restricts this title to individuals paid exclusively with grant funds.)

56. This policy change was originated by (individual, office or committee/organization):
    - Office of the Vice President for Agricultural Affairs/Greg Lardy, Associate VP, May 20, 2015
    - Email address of the person who should be contacted with revisions: Gregory.lardy@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 350.1
BOARD REGULATIONS ON ACADEMIC FREEDOM AND TENURE; ACADEMIC APPOINTMENTS

SOURCE: SBHE Policy Manual
Section 605.1, 605.2, 605.3, 605.4
NDSU President

1. General Principles

   a) A college or university is a forum for ideas, and it cannot fulfill its purpose of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. Academic freedom and tenure are both important in guaranteeing the existence of such a forum. This policy is intended to enable institutions under the authority of the Board to protect academic freedom.

   b) The purpose of tenure is to assure academic freedom. Academic freedom applies to all scholarly pursuits. Freedom in scholarship is fundamental to the advancement of knowledge and for the protection of the rights of the faculty members and students. It carries with it duties and responsibilities correlative with rights. These duties and rights are set forth in policy 401.1, relating to Academic Freedom, and the **1940 Statement of Principles on Academic Freedom and Tenure** (Rev. 1990), adopted by the American Association of University Professors and the Association of American Colleges. These policies apply to all institution faculty unless otherwise indicated.

   c) Tenure is awarded by the Board upon recommendation of the Chancellor, following review and recommendations made pursuant to the procedures established at the institution and a recommendation by the institution's president to the Chancellor. A favorable recommendation means that the applicant meets all of the prerequisites and criteria and the award of tenure is consistent with the sound fiscal management and academic priorities of the institution and the system of education under the control of the Board. Tenure recommendations submitted to the Board shall include a brief summary of the candidate's qualifications and reasons for the recommendation. Tenure is not an entitlement, and the granting of tenure requires an affirmative act by the Board. Tenure is limited to the academic unit or program area in the institution in which tenure is granted and shall not extend to an administrative or coaching position.

2. Definitions of terms used in sections 605.1, 605.2, 605.3 and 605.4 of Board Policy (350.1, 350.2, 350.3, 350.4 NDSU Policy Manual):

   a) "Academic Year" means the period, approximately nine months in duration, starting with the beginning of the Fall semester and ending following completion of the Spring semester.

   b) "Board" means the North Dakota State Board of Higher Education.

   c) "Faculty" means all members of the academic staff, excluding only coaches and administrators in their capacities as coaches or administrators.

d) "Receipt" means either actual or constructive receipt. Constructive receipt means the sending party has taken all reasonable steps to ensure that the receiving party has received actual notice.
"Academic unit or program area" shall be defined as the department or comparable unit. Comparable unit shall be determined by the President after consultation with relevant department, college, and university faculty and representatives.

"Head of an academic unit" shall be defined as the department chair or equivalent administrative appointment. Equivalent administrative appointment includes faculty coordinating a program area who have administrative responsibility for evaluating probationary and tenured faculty and making recommendations for tenure, promotion, renewal or nonrenewal, dismissal, or termination.

3. General Procedures

a) Because of the variety of scope and organizational structure of the institutions under the control of the Board, the faculty governance structure at each institution, in accordance with section 305.1 of these policies, shall recommend procedural regulations to the president to implement policies 605.1, 605.2, 605.3 and 605.4, including:

The faculty governance structure at North Dakota State University is the University Senate.

1. Procedures for continuing evaluation of both probationary and tenured faculty members; and

2. Criteria and procedures by which faculty members are evaluated and recommended for tenure.

Procedures for the continuing evaluation of both probationary and tenured faculty members, and criteria and procedures by which faculty members are evaluated and recommended for tenure are published in the NDSU Policy Manual, Section 352.

b) The criteria for tenure evaluation and continuing evaluation of probationary and tenured faculty shall include scholarship in teaching, contribution to a discipline or profession through research, other scholarly or professional activities, and service to the institution and society. Institutions may adopt additional criteria. The regulations defining these criteria shall be consistent with the nature and mission of the institution.

1. Institutions shall establish various tenure "plans" appropriate to the diverse missions of individual institutions, designed to encourage emphasis on research, scholarship in teaching (including, for example, utilization of technology in teaching and innovative teaching methods), service (including, for example, technology transfer and economic development) and other areas of emphasis. Institution regulations shall include guidelines for determining weight to be given each of the criteria for tenure evaluation and continuing evaluation. The guidelines shall provide for varying emphasis on the enumerated criteria based upon the faculty member's plan, the needs of the institution and the background, abilities and interests of the faculty member.

2. Tenured and probationary faculty contracts shall identify the faculty member's tenure plan and describe the faculty member's duties and goals. The contracts shall specify the weight to be given the criteria for evaluating performance. The contract provisions shall be reviewed

and, when appropriate, revised as a part of the faculty member's periodic evaluations.

c) Eligibility for tenure requires a probationary period of six years of continuous academic service to the institution, during which the faculty member is evaluated at least annually according to an evaluation process designed to foster continuous improvement. The term may be extended beyond six years or the continuous service requirement may be waived in exceptional circumstances. Institutions shall establish procedures for granting extensions or waivers of the continuous service requirement in exceptional circumstances, which must include maternity or parental leave and appropriate accommodations for faculty members with disabilities. Institution procedures may define additional exceptional circumstances including, for example, family emergencies or extended illness.
A faculty member desiring an extension of the six-year probationary period or a waiver of the continuous service requirement based on exceptional personal or family circumstances shall make a written request for an extension or waiver to the department chair or head of the academic unit. The written request shall be made within 90 days from the time of the exceptional circumstances justifying the extension or waiver request. The chair or head of the academic unit shall forward a recommendation on the request to the Dean who shall also review the matter and forward a recommendation on the request to the Provost. Approval of the extension or waiver request rests with the Provost and the President of the University. Denial of an extension or waiver request is a matter related to promotion and tenure appealable pursuant to Policy 350.

d) An institution may, subject to procedural requirements stated in this policy and sections 605.2, 605.3, and 605.4, decline to renew the contract of probationary faculty without cause at any time during the probationary period.

4. Faculty appointments shall be probationary, tenured or special.

a) PROBATIONARY APPOINTMENTS are renewable annually and yield credit toward tenure. The probationary term is limited to six years of continuous academic service, excluding extensions to the term or exceptions to the continuous service requirement granted in exceptional circumstances.

1. An individual with previous professional experience may, at the discretion of the institution, be given tenure credit not to exceed three years for this experience, with such credit to be regarded as academic service to the institution for the purpose of these regulations. The faculty member shall be informed in writing of this policy and the institution's decision prior to or at the time of appointment.

   Acceptability of tenure credit shall be evaluated by the department chair and the dean or director of the college or equivalent unit. Approval of credit toward tenure rests with the Provost and the President of the University.

2. Time spent on leave of absence or developmental leave may be counted, up to a maximum of two years, as academic service for the purposes of these regulations. The amount shall be determined, and the faculty member informed in writing, including any applicable conditions, prior to authorization of the leave.

   *Approval **for leave credit** is required by the department chair, dean, and Provost.*

b) TENURED APPOINTMENTS recognize a right, subject to Board policy, to continuous academic year employment in an academic unit or program area as defined by an institution and stated on the contract. A faculty member shall qualify to be recommended for a tenured appointment by satisfying the criteria for tenure developed in accordance with subsection 3 of this policy.

1. The following persons are not eligible for tenured appointment:

   i. Faculty members with a part-time or temporary appointment. However, faculty members who have been awarded part-time tenure as established by previous Board policy and those who accept a part-time appointment after being awarded tenure in a full-time position shall continue to have such tenure recognized.

   ii. An institution's president:

   The President's Office maintains the list of faculty members who have been awarded part-time tenure under previous Board policy.

2. The Board may, following review and recommendations made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to an institution's chief academic officer or to any other person appointed to the faculty who has not met the eligibility requirement of subdivision 3 (c) of this policy, provided that the person, at the time tenure is granted has:

   i. Held a tenured appointment at another institution, or

   ii. Been a faculty member at the institution for at least one prior academic year.

3. The Board may, following review and recommendation made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to any person appointed to the faculty who has not met the eligibility requirements of subdivisions 3(b) and 3(c) of this policy, provided that the person has a documented record of outstanding achievement and consistent excellence in a discipline or profession gained through research, scholarly or professional activities, or service. *Materials in support of a candidate for tenure under exceptional circumstances shall be submitted to the department or academic unit in which tenure is sought. The materials shall be reviewed at the department or unit level and the chair or head of the academic unit shall forward the unit's recommendation to the Dean and the college PTE committee, who will review the materials and unit recommendation and make independent recommendations to the Provost. The Provost will review the materials and recommendations and provide a recommendation to the President who will make a final recommendation to the State Board of Higher Education.*

c) SPECIAL APPOINTMENTS do not involve either tenure credit or status. Special appointments are all appointments except tenured or probationary appointments, including:

1) Courtesy adjunct appointments awarded in accordance with Board policy to professional people who contribute to the academic or research program of the institution;

2) Visiting appointments for people holding academic rank at another institution of higher education;

3) Appointments of retired faculty members on special conditions;

4) Initial appointments supported wholly or partially by other than state appropriated funds;

5) Appointments clearly limited to a brief association with the institution, as defined by the institution;
A brief association, as defined at NDSU, will be a maximum duration of six consecutive years. Exceptions to this policy must be approved by the chair, dean and Provost.

6) Terminal appointments given with notice of non-renewal to faculty members who were previously on probationary appointment. A terminal appointment with notice of nonrenewal must be given to a faculty member no later than the end of the sixth year of probationary appointment if the decision is made to deny tenure;

7) Part-time faculty;

8) Lectureship appointments, which shall be for performance of specifically assigned academic duties only, without general faculty responsibilities;

Lecturers provide the services defined in the letter of appointment, which are generally limited to teaching specific courses or advising a certain number of students; participation in faculty governance is not provided for. These appointments are compensated and may be for one ***or two semesters*** *at a time. Full-time lectureship appointments are considered temporary. Service beyond a total of six* ***consecutive*** *years* ***requires a written justification by the department and approval by the dean and the Provost.***

A Senior Lecturer appointment is also available for academic staff of distinguished merit and ability when a probationary faculty appointment is either inappropriate or unavailable.

Factors to be considered in awarding a Senior Lecturer appointment include the academic degree and years of experience of the candidate, as was well as the level of courses taught and the quality of instruction. Although senior lecturers may be expected to participate in college activities and committees, they are not eligible for governance activities or committee assignments provided for the University's faculty by its Constitution or Bylaws.

Senior Lecturers shall be appointed annually (or for a longer period with the approval of the Provost) at a salary appropriate for their qualifications, responsibilities and department.

Notice of termination of a Senior Lecturer appointment must be given by March 1 of the first full year of academic service, or by December 15 of the second or subsequent year of service, in order for the termination to be effective as of the end of that fiscal year of service.

9) Graduate teaching assistant appointments.

10) Postdoctoral fellowships and clinical appointments; and

11) Other faculty appointments, not probationary or tenured, that are designed to help fulfill the institution's mission or meet long-term needs. The appointments shall be subject to an agreement describing the faculty member's duties and goals, criteria and weight assigned each

criteria for evaluation. The term of an appointment and agreement, or renewal thereof, may not exceed three years. The faculty member's performance and achievement of goals shall be evaluated during the final year of an appointment. An appointment may be renewed only if the evaluation demonstrated satisfactory performance.

12) Research Professorships

i. **Research Professorships** shall be for faculty members whose primary function is research in a position that is supported entirely by extramural funding; provided however, funding for faculty members located at branch stations of the North Dakota Agricultural Experiment Station is not limited to extramural funds. Research Professorships are offered to individuals with experience and scholarly qualifications comparable to regular faculty members at the same rank. Thus, the appointments may be made at the levels of a) Research Assistant Professor, b) Research Associate Professor, or c) Research Professor. Research Professorships shall be hired using existing university policies and guidelines, and the appointment must be associated with an academic department and/or a research unit within an academic department. It may, however, be made in one or more departments. If the appointment is a joint appointment between two units, the appointment must exceed 50% in one of the units, and the Chair/Head in the majority unit would take primary responsibility for annual evaluations.

ii. To the extent applicable, ~~T~~the duration of the appointment is based upon extramural funding. Research Professorships neither carry tenure nor are eligible for tenure.

iii. The position is typically 100% research. No teaching or university service is expected, but professional service (e.g., reviewing submissions; presenting at conferences) is an inherent responsibility of the position. Departments may have different expectations concerning the role that the appointee plays in departmental service activities (e.g., attending the departmental meetings, voting on departmental issues). Research Professorships will not typically involve formal classroom teaching. In rare cases in which a Research Faculty is considered for a teaching assignment, a separate part-time teaching appointment is required, and the Research Faculty should reduce their research effort accordingly. All non-research activities are, of course, subject to constraints imposed by the funding agencies providing support for the primary appointment.

iv. Research Professorships are not counted for the purposes of determining unit representation for University Governance. The appointee's role in graduate education shall be governed by the department and by existing policies of the Graduate School.

v. An annual written evaluation will be completed by the department Chair/Head. If the Research Faculty is working within a research group, then the Chair/Head shall consult with the Research Director of the Principal Investigator for input on the appointee's evaluation. It is essential that the evaluation be based upon a current position description. One component of the annual review will be the assessment of past and upcoming funding for the position.

vi. Promotion is initiated via a departmental recommendation. The recommendation is signed by the College's Promotion, Tenure and Evaluation Committee, by the Dean, and by the Provost. Typically promotion cannot be achieved until the candidate has spent a minimum of five years in rank. Promotion shall be based primarily on demonstrated success in research, publications and extramural funding (i.e.; demonstration of knowledge dissemination in his/her field, supervision of graduate researchers, and/or continued funding support.

vii. A Research Faculty member is eligible to apply for a tenure-track position. Upon recommendation by the chair, dean, and the Provost, up to 3 years prior experience in a Research Professorship can be counted toward tenure.

13) Professor of Practice

i. The designation, Professor of Practice, shall be for faculty members whose primary function is to teach in their academic discipline and carry out other responsibilities assigned at the discretion of the department or college, including apportionment of their time to service and/or other professional responsibilities. Appointments at the Assistant, Associate, and Full Professor of Practice are based on academic qualifications, as describe below.

a) **Assistant Professor of Practice.** For appointment as Assistant Professor of Practice, candidates must have a terminal degree or equivalent professional experience, and demonstrated professional or industrial/business experience. The length of appointment may be 1-3 year, renewable every year upon satisfactory performance of assigned responsibilities, the majority of which will be instructional activities and practice.

b) **Associate Professor of Practice.** For appointment as Associate Professor of Practice, candidates must have a terminal degree or equivalent professional experience, evidence of leadership in instructional activity in academic or professional instruction that has had a significant impact on the department, college, university, or profession. The length of appointment may be 1-4 years, renewable every year upon satisfactory performance of assigned responsibilities, the majority of which will be in instructional activities and practice.

c) **Professor of Practice.** For appointment as Professor of Practice, candidates must have a terminal degree or equivalent professional experience, evidence of contributions to advancing learning in the field (i.e. national visibility in dissemination of instructional methods and/or materials, successful grant funding for instructional activities/innovations, leadership in professional organizations.) The length of appointment may be 1-5 years, renewable every year upon satisfactory performance of assigned responsibilities, the majority of which will be in instructional activities and practice.

ii. Departments may have different expectations concerning the role that the appointee plays in departmental service activities (e.g., attending departmental meetings, voting on departmental issues). The appointee's role in graduate education shall be governed by the department and by the existing policies of the Graduate School. An annual written evaluation will be completed by the department Chair/Head.

iii. The position of Assistant, Associate, or Professor of Practice neither carries tenure nor eligibility for tenure, though promotion is possible through ranks, based on time in rank and satisfactory evaluation of assigned responsibilities. Promotion is initiated via a departmental recommendation. The recommendation is signed by the College's Promotion, Tenure and Evaluation Committee, by the Dean, and by the Provost. Typically, the promotion cannot be achieved until the candidate has spent a minimum of five years in rank. Promotion shall be based primarily on demonstrated success in instructional activities and other assigned responsibilities.

iv. A faculty of practice member is eligible to apply for a tenure-track position. Upon recommendation by the chair, dean and Provost, up to 3 years prior experience in a Professorship of Practice can be counted toward tenure probation.

5. The general terms and conditions of appointment shall be provided the appointee in a written contract. The contract shall state whether the appointment is probationary, tenured or special. The term of a contract, except contracts made pursuant to paragraph 4(c)(11), shall generally not exceed one year. A multiple-year contract must be subject to termination upon discontinuance of the program in which the faculty member is employed, non-appropriation or loss of funds, or other financial exigency.

For faculty on nine- or ten-month contracts covering the traditional academic year (generally, August to May), institutions shall not later than June 30 each year, provide notice of renewal terms with a contract, agreement or appointment letter to be signed by both parties. Absent good cause or agreement extending or establishing a different deadline, faculty must sign and return a contract or other document indicating acceptance of contract terms not later than July 20. Institutions shall establish procedures providing that failure to return a signed contract or other document indicating acceptance of contract terms by July 20 constitutes a resignation resulting in termination of employment, effective July 20, except for good cause shown by the faculty member or unless the institution has granted an extension. Prior to the end of the spring semester each year, institutions shall provide notice to faculty summarizing the process and deadlines for contract renewal, including information on extending deadlines to accommodate faculty who may be traveling or not able to readily receive and respond to communications during summer months.

For a faculty appointment, the contract consists of the letter offering the position, the annual notice of renewal terms, the current job description of the individual faculty member, and the current policies and procedures of NDSU and the State Board of Higher Education. The department chair or head of an academic unit will ensure that all faculty have job descriptions that are periodically reviewed and updated. Each job description will be signed by the Dean, the Chair or head of the academic unit, and the faculty member and filed in the faculty member's official personnel file. Each job description shall specify how a faculty member's assigned responsibilities will be allocated among teaching, research, and service which will determine the weight to be given to each area of responsibility for tenure, promotion, and continuing evaluations.

6. The institutional process for evaluation of faculty, the criteria and minimum expectations for promotion and for tenure, and provisions concerning required notices, shall be made known to the appointee at the time of appointment. This disclosure may be accomplished by a published description of the process, criteria, and expectations in a faculty handbook or similar document. Such provisions are subject to change according to processes established for adoption or amendment of Board and institutional policies. Institution procedures shall provide for annual evaluation of all full-time faculty. The procedures shall include provisions requiring that evaluations are completed in a timely and appropriate fashion and that the institution takes appropriate remedial action in response to unsatisfactory evaluations. Evaluation criteria shall relate to a faculty member's duties and goals and be appropriately weighted in accordance with the terms of the faculty member's contract. Evaluations of all teaching faculty must include significant student input.

At the time of appointment, the appointee shall be provided with information, which contains the institutional process for evaluation of faculty, as well as minimum expectations for promotion and tenure. In addition, specific departmental and college guidelines for promotion, evaluation and tenure, if applicable, will be made available to the appointee.

The dean or director of the college or equivalent unit will be responsible for providing these documents to the appointee.

Note: Since this Policy repeats Board Policy, the section numbers in the Board Policy refer to Board Policy numbers. The italicized portions of Policies 350.1-350.4 are NDSU Policy which implement or supplement Board Policy.

HISTORY:
Replaces portions of Policy 605 SBHE Minutes April 25, 1995 pg 6554

Amended	April 25, 1995
Amended	July 1, 1996
Amended	January 1997
Amended	June 1997
Amended	February 2001
Amended	October 2001
Amended	August 2003
Amended	October 2005
Amended	October 2007
Amended	December 2008
Amended	December 19, 2011
Amended	September 25, 2012
Amended	October 4, 2012

Section 610, Version March 16, 2010

Policy Change Cover Sheet

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

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

SECTION: Section 610 Missing Student Notification

58. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? x Yes – The ability to designate an individual to be contacted in the event a student is determined to be missing is a federal mandate. The change in policy wording is to correct the statement about the *manner* in which the information is collected.
    - Describe change: Section 3.1 erroneously states that contact information is to be provided at "myhousing.com." The reference to "myhousing.com" is being removed.

59. This policy change was originated by (individual, office or committee/organization):
    - Department of Residence Life, August 24, 2015
    - jason.medders@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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SECTION 610
MISSING STUDENT NOTIFICATION
SOURCE: NDSU President

1. INTRODUCTION: Pursuant to the 2008 reauthorization of the Higher Education Act, students residing in NDSU owned and operated facilities have the opportunity to designate an individual to be contacted in the event the student is determined to be missing. The purpose of this policy is to clarify the option available for such designation, and the institution's responsibility for notification in the case of a missing student.

2. DEFINITION: A missing student is defined as a person currently enrolled at North Dakota State University, whose whereabouts have been unaccounted for by law enforcement for more than 24 hours.

3. CONTACT INFORMATION: Students residing in NDSU owned and operated facilities have the option to designate an individual to be contacted in the event the student is determined by NDSU Police or appropriate law enforcement agency to be missing. This contact may be the same or different than the emergency contact information provided in the student's campus connection account.

   3.1 Students may register confidential contact information with the Department of Residence Life. ~~via myhousing.com~~. This information will be utilized only by campus officials and law enforcement when the student is determined by police to be missing. This information will not be disclosed for other purposes.

4. REPORTING: A report should be filed with the NDSU police at the time a student is presumed to be missing. A report may be filed by an NDSU employee, friend, roommate, or family member. An investigation will be conducted in attempt to determine the whereabouts and well-being of the student.

5. INITIATE PROCEDURES: When NDSU Police have been notified and the student becomes the subject of a missing persons report, NDSU will initiate the Missing Persons Procedures and Notification in accordance with the student's designation.

6. NOTIFICATION: The student's designated contact person will be notified.

7. MINORS: If the student is under the age of 18, and is not an emancipated adult, NDSU is required to notify a custodial parent or guardian, in addition to any contact person specifically designated by the student. Contact will be made no more than 24 hours after the student is determined by NDSU Police or other appropriate law enforcement agency to be missing.

8. FAILURE TO DESIGNATE CONTACT: in the event a student residing in a university owned and operated facility, is determined by NDSU Police or other law enforcement to be missing, and has not previously identified a missing persons contact, NDSU will notify the individual identified in the student's Campus Connection account as the emergency contact.

HISTORY:

New	March 16, 2010

Policy Change Cover Sheet

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

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

SECTION: 6??: IMMUNIZATION REQUIREMENTS (new policy)

61. 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). NDUS has mandated meningococcal vaccine to students' 21 years and younger residing in Campus housing. NDSU SHS proposes this policy be broadened to include all students age 21 years of age and younger to provide protection to those students and the campus community from viral meningitis. This proposal exceeds the State mandate.

    - Is this a federal or state mandate? ☐ Yes ☒ No

62. This policy change was originated by (individual, office or committee/organization):
    - *NDSU Student Health Service*
    - *Patricia Dirk, Director, SHS, patricia.dirk@ndsu.edu*

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
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SECTION 6??
IMMUNIZATION REQUIREMENTS

SOURCE: NDSU President
North Dakota SBHE Policy 506.1

1. Students enrolled in a course offered for credit at any institution must provide documentation of immunity against measles, mumps and rubella in accordance with this policy. The President shall adopt procedures implementing this policy. The procedures shall establish exemptions for students enrolled only in distance learning courses and other students who have limited contact with resident student populations. The procedures shall also provide for additional exemptions upon application under established campus procedures if: (a) immunization is contraindicated by a medical condition; (b) a student has had one immunization and agrees to have a second one no less than one month later; or (3) a student's beliefs preclude participation in an immunization program.

2. Students ages 21 and younger must provide documentation of immunity against meningococcal disease in accordance with this policy. The President shall adopt procedures implementing this requirement. Exemptions may be provided upon application under established campus procedures if: (a) immunization is contraindicated by a medical condition; or (b) a student's beliefs preclude participation in an immunization program.

3. Each institution shall establish procedures for screening international students for tuberculosis. Testing is required of new students from all countries except those classified by U.S. health officials as "low risk for tuberculosis."

HISTORY:

New Sept 2015

Policy Change Cover Sheet

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

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

SECTION: 712.1 Legal Representation

64. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Changes to remove General Counsel language from document. Matt Hammer, state attorney general's office representative to campus, collaborated on these changes with the Office of the Provost.
65. This policy change was originated by (individual, office or committee/organization):
    - Charlene Wolf-Hall, Vice Provost
    - Charlene.hall@ndsu.edu / melissa.lamp@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 712.1
LEGAL REPRESENTATION

SOURCE: SBHE Policy Manual, Section 607.1

Any attorney representing the University must have an appointment as a Special Assistant Attorney General. All requests for legal representation shall be approved and coordinated through the ~~NDSU General Counsel's~~State Attorney General's Office. There must be a contract for legal representation approved by the ~~General Counsel~~State Attorney General's Office. Any payment for legal fees must be approved first by the ~~General Counsel~~President.

Request for SAAG appointments come from the ~~General Counsel and go through the~~ President and go through the~~,~~ SBHE Chancellor's office, and then to the Attorney General. ~~Most appointments are for specific cases or situations, but some are for general topic areas, like contracts or personnel issues. Attorneys are selected based on their experience, expertise, past performance, among other factors, and after discussion with appropriate University officials.~~

Further information on legal representation can be found at:
N.D.C.C. § 32-12.2-03, regarding the personal liability and defense of employees;
N.D.C.C. § 54-12-08, regarding assistant and special assistant attorneys general; and
North Dakota Attorney General brochure: "Liability of State Employees."

HISTORY:

New February 16, 2011

Policy Change Cover Sheet

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

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

SECTION: 716 Nonprofit Entities

67. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Delete sections 2 and 3 per the Provost; procedures do not need to be part of the official policy and there is no longer a University General Counsel. Chief of Staff also reviewed this change.

68. This policy change was originated by (individual, office or committee/organization):
    - Charlene Wolf Hall, Vice Provost, Office of the Provost
    - Charlene.hall@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 716
NONPROFIT ENTITIES

SOURCE: NDSU President
SBHE Policy Manual Section 307.A
NDUS Procedure Manual 307.1.B

1. Proposals to create any nonprofit entity, related to any department, college or division of the University, including the Agricultural Experiment Station and the Extension Service, must be presented through proper organizational channels and approved by the President and, if applicable, the State Board of Higher Education.

HISTORY:

New	January 1996
Amended	October 2007
Housekeeping	November 4, 2011

Policy *XXX (new)* Version 1 *090315*

Policy Change Cover Sheet

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SECTION: XXX Export Control

70. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☒ Yes ☐ No
    - Describe change: This is a new policy stating NDSU's intention to follow federal export control laws and regulations and is part of our compliance program.

71. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted: VPRCA 9/3/2015
    - Email address of the person who should be contacted with revisions: jolynne.tschetter@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION XXX
EXPORT CONTROL

SOURCE: NDSU President

1. North Dakota State University is committed to acting in accordance with all applicable U.S. Government export regulations. NDSU requires ALL faculty, staff, students, and other University personnel to be aware of, and comply with, U.S. export control laws and regulations, and NDSU's policy and procedures thereto.

HISTORY:

New September 2015

Guidelines for NDSU Faculty Email Lists

An item submitted to an NDSU faculty email list will be posted only if:

1. It is directly related to University concerns;
2. It originates from a sender who has an obvious affiliation with NDSU;
3. It does not include attachments;
4. Any political or religious content is of general interest (such as announcing an on-campus event) and does not endorse a particular viewpoint or individual.
5. All content submitted to NDSU email lists must conform to Policy 158, Acceptable Use of Electronic Communications Devices, AND

A. Mandatory faculty membership list - (NDSU-FACULTY@listserv.nodak.edu)

6. It contains information that will significantly impact the university's or faculty's ability to function efficiently in their respective roles. Examples include but are not limited to official communication to faculty by administrators, notifications of power outages, risk management situations on campus, reporting or request from university wide committees, and notification of university wide events that most faculty will need to know about.)

OR

B. Opt-out or voluntary faculty membership list - (@listserv.nodak.edu)

7. It contains information that is of general concern to the faculty. Examples include sales, department news or notification of events, requests for volunteers, and other items that do not significantly impact the university nor faculty's ability to function efficiently.

The NDSU faculty email list is moderated by the Faculty Senate Presiding Officer and Presiding Officer Elect. Contact information may be found on the Executive Committee Membership page.

Approved by University Senate,

NDSU Faculty Senate

3:30 pm, 9 November 2015

Prairie Rose, Memorial Union

Agenda

I. Call to Order

II. Attendance

III. Approval of 12 October 2015 minutes

IV. Consent agenda

a. Academic Affairs Report (attachment 1)

b. Policy changes (attachment 2) (All housekeeping changes/information only)

- Policy 100 Equal Opportunity and Non-Discriminatory Policy
- Policy 100.2 Use of Service Animals and Assistance Animals
- Policy 104 Recruitment Period for Position Announcements
- Policy 112 Pre-Employment and Current Employee Criminal Record Disclosure
- Policy 127 Salary or Stipend – Part-Time Academic Staff or Graduate Assistant
- Policy 129 Salary Administration Policy
- Policy 130 NDUS Human Resources Policy Manual, Section 6
- Policy 150 Commercial and Fund-raising Activities
- Policy 154 Distribution of Literature
- Policy 154.1 Sale or Distribution of Racially and Sexually Offensive Material
- Policy 155 Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees
- Policy 158 Acceptable Use of Communications Devices
- Policy 163 Anti-Harrassment Policy
- Policy 168 Reasonable Accommodation on the Basis of Disability – Guidelines for Employee Requests
- Policy 190 Employee Responsibility and Activities: Intellectual Property
- Policy 304 Academic Staff and Executive/Administrative Positions
- Policy 515 Travel-Employees
- Policy 601 Rights and Responsibilities of Community: A Code of Student Conduct
- Policy 604 Jurisdiction of the Vice President for Student Affairs – Student Conduct Code Violations
- Policy 611 Student Travel Policy
- Policy 713 Records Management
- Policy 718 Public/Open/Restricted Records
- Policy 806 Allowable Cost Policies – Summer Salary for Faculty and Staff

Any Senator can request that an item on the consent agenda be placed on the regular agenda

V. Announcements

a. Dean Bresciani, President
b. Beth Ingram, Provost
c. Dennis Cooley, Faculty Senate President
d. Katie Gordon, Faculty Senate President-Elect
e. Gennifer Sprecher, Staff Senate President
f. Eric McDaniel, Student Government President

VI. Senate Committee Reports

a. Ad hoc committee on safety
b. Update

VII. Unfinished Business

V. New Business

a. Policy 133.1 – Tuition Waivers - Spouse/Partner and Dependents (attachment 3: input and vote)
b. Policy 152 – External Professional Activities (attachment 4: input and vote)
c. Policy 337 – Grade Appeals Board (attachment 5: input and vote)
d. Policy 350.1 – Academic Freedom (attachment 6: input and vote)
e. Policy 352 – PTE (attachment 7: input and vote)
f. Policy XXX – Export Control (attachment 8: input and vote)
g. SROIs – Kathryn Gordon (attachment 9: Discussion only)
h. Policy 132 – Erin Gillam
i. Brent Seewald-Marquardt: Assistant Director Course Material & Academic Resources / NDSU Bookstore
j. STEPS to Success at NDSU – Student Services.

VI. Adjourn

Academic Affairs Committee Report
For Faculty Senate Meeting on November 9, 2015

New Courses				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
BIOL	479/679	Biomedical Genetics and Genomics	3	Spring 2016
CME	487/687	Building Automation and Control Systems	3	Spring 2017
ECE	713	Introduction to Lab-On-A-Chip Technology	3	Spring 2016
ECE	734	Modeling and Control of High Voltage Direct Current (HVDC) Systems	3	Spring 2016
ECE	749	Wireless Communication	3	Spring 2016
EDUC	455/655	Socio-Psycho-Linguistics for Teachers of English Language Learners	3	Fall 2016
ENGL	229	Introduction to Creative Writing	3	Spring 2016
PPTH	756	Fungicides: Development, Modes of Action, and Development of Resistance	2	Fall 2016
RELS	355	History of Global Islam	3	Spring 2016
RNG	451/651	Ecology of Fire-Dependent Ecosystems	3	Spring 2016
RNG	749	Applied Global Change Ecology	3	Spring 2016
Uniform	792	Graduate Teaching Experience	1-6	Spring 2016
Uniform	892	Graduate Teaching Experience	1-6	Spring 2016

Course Inactivation				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
CME	205	Building Construction	3	Spring 2016
CME	270	Intro/Const Estimating	2	Spring 2016
CME	310	Construction Quality Control Management	2	Spring 2016
CME	321	Timber Design/Technologists	3	Spring 2016
CME	325	Fluid Mechanics for Technologists	3	Spring 2016
CME	330	Computer Software Appl/Constrn	1	Spring 2016
CME	350	Construction Equipment	3	Spring 2016
CME	360	Construction Materials	3	Spring 2016
CME	370	Introduction to Cost Estimating	2	Spring 2016
CME	385	Construction Safety	2	Spring 2016
CME	402	Construction Techn/Equipment II	3	Spring 2016
CME	406	Soil as a Material	2	Spring 2016
CME	411	Construction Cost Estimating	4	Spring 2016
CME	413	Construction Capstone	2	Spring 2016
CME	420	Labor Productivity in Construction	3	Spring 2016
CME	425	Decision Making and Risk Analysis	3	Spring 2016
CME	454	Pavement Design/Technologies	3	Spring 2016
CME	455	Framework Design	2	Spring 2016
CME	460	Urban Public Works	3	Spring 2016
CME	480	Const Engineering Desn	4	Spring 2016
BUSN	792	Specialized Studies for K-12 Teachers	1-5	Spring 2016
EDUC	792	Specialized Studies for K-12 Teachers	1-5	Spring 2016
HDFS	792	Specialized Studies for K-12 Teachers	1-5	Spring 2016
MATH	792	Specialized Studies for K-12 Teachers	1-5	Spring 2016
RELS	210	Ethics	3	Spring 2016
RELS	243	Religion and Self	3	Spring 2016
ZOO	792	Specialized Studies for K-12 Teachers	1-5	Spring 2016

Course Changes								
From:				***To:***				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
BIOC	465/665	Principles of Physical Chemistry and Biophysics	4	**CHEM**	465/665	**Survey of Physical Chemistry**	4	Fall 2016
CED	709	Community Development Orientation	1	CED	709	Community Development Orientation	**2**	Spring 2016
ECE	463	Digital Control	3	ECE	463	**Modern Control**	3	Spring 2016
ENGL	322	Creative Writing	3	ENGL	322	**Writing and the Creative Process**	3	Spring 2016
ENGL	323	Creative Writing II	3	ENGL	323	**Creative Writing**	3	Spring 2016
ENGL	226	Poetry of Rock	3	ENGL	**376**	Poetry of Rock	3	Spring 2016
ENGL	752	Writing: Invention to Innovation	3	ENGL	**761**	Writing: Invention to Innovation	3	Spring 2016
TL	789	Academic Conduct, Leadership, and Ethics in Transportation	1	TL	789	**Leadership, Ethics, and Academic Conduct in Transportation**	**3**	Spring 2016

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions				
Subject	**No.**	**Title**	**Prerequisite/Co-requisite Change**	**Effective Term**
BIOC	465/665	Survey of Physical Chemistry	Co-req: None. Desc: Conceptual approach to physical chemistry including thermodynamics, kinetics, and quantum mechanics. Application of fundamental concepts to the life sciences. 4 lectures.	Fall 2016
CED	709	Community Development Orientation	Desc: Introduces students in the on-line Master's degree program in community development to the on-line classroom environment, and to the science, practice, and profession of community development.	Spring 2016
ECE	463	Modern Control	Prereq: ECE 343 Desc: Analysis and design of controllers for linear and non-linear systems using state-optimization, and state-estimation. 3 lectures. Prereq: ECE 343.	Spring 2016
EDUC	452	Assessment and Testing of Culturally Diverse Students	Desc: Theories and strategies for selecting and implementing a variety of assessments focused on the needs of English Language Learners. Practice in using assessment results to adjust classroom instruction accordingly.	Spring 2016
ENGL	322	Writing and the Creative Process	Desc: Exploring genres that fuel creativity and critical awareness. Emphasis on flexibility and inventiveness in realizing any personal or professional project. Products may range from poetry/fiction to blogs to student-designed assignments based on major.	Spring 2016
ENGL	323	Creative Writing	Prereq: ENGL 120, ENGL 229, junior standing. Desc: Creative writing with a focus on one genre: Fiction in the fall semester, and Poetry in the spring. May be repeated for genre. Prereq: ENGL 229.	Spring 2016
TL	785	Spatial Analysis in Transportation Systems	Prereq: None.	Spring 2016
TL	789	Leadership, Ethics, and Academic Conduct in Transportation	Desc: This course focuses on academic conduct in student's educational programs, and then goes on to explore theories, concepts, and practices of leadership and ethics that students may apply to their academic programs and transportation careers.	Spring 2016

New Special Topics (FYI)				
Subject	**No.**	**Title**		
MGMT	499	Modeling the Supply Chain		Spring 2016
MIS	499	Managing Information Technology Security		Spring 2016
MRKT	499	Health Care Marketing		Spring 2016

Policy *100* Version 2 *10/09/2015*

Policy Change Cover Sheet

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SECTION: 100 EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☒ Yes ☐ No
   - Describe change: Effective August 1, 2015, the State Board of Higher Education changed SBHE Policy 603.2 per changes to N.D.C.C. § 14-02.4-03 (2). Changes have been made to NDSU Policy 100 to match their policy.

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted HR and Payroll/Equal Opportunity Colette Erickson/Lois Christianson 08/24/2015
   - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu
   -

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 100
EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

SOURCE: NDSU President
SBHE Policy Manual, Section 603.2

North Dakota State University is fully committed to equal opportunity in employment decisions and educational programs and activities, in compliance with all applicable federal and state laws and including appropriate affirmative action efforts, for all individuals without regard to age, color, disability, gender expression/identity, genetic information, marital status, national origin, physical and mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.

Discrimination against an employee or applicant for employment, with respect to working conditions, work place assignment, or other privileges of employment, merely because the employee's or applicant's spouse is also an employee is prohibited. ~~This prohibition does not apply to employment of the spouse of a person who has the power to hire or fire, or make evaluations of performance, with respect to the person involved.~~ Employment in a department or institution headed or supervised by the employee's spouse is permitted only if the spouse does not have the power to hire or fire or make evaluations of performance.

The following notice must be included in all departmental publication such as bulletins, announcements, manuals, publications, guidebooks, brochures, pamphlets, catalogs, application forms or recruitment materials describing or inviting participation in programs at North Dakota State University. (This notice is not required on departmental homepages.)

Non-Discrimination Policy:

North Dakota State University does not discriminate on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, physical and mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran. Direct inquiries to:

Equal Opportunity Specialist
Old Main 201
701-231-7708

Title IX/ADA Coordinator
Old Main 102
701-231-6409

HISTORY:

New	May 1972
Amended	April 2, 1991
Amended	April 1992
Amended	August 1993
Amended	August 1999
Amended	February 2005
Amended	December 2007
Amended	June 12 2009
Amended	July 8, 2009
Housekeeping	September 2009
Amended	June 1, 2011
Housekeeping	June 22, 2011
Housekeeping	July 23, 2014

Policy Change Cover Sheet

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SECTION: 100.2 Use of Service and Assistance Animals

4. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping change removing reference to the Office of Equity, Diversity and Global Outreach, and replacing one of the references to the ADA Coordinator

5. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted – Student Life / Mary Asheim / /15
   - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 100.2
USE OF SERVICE AND ASSISTANCE ANIMALS

SOURCE: NDSU President

1. **Background**

North Dakota State University is committed to ensuring equal access, as defined by law, for persons with disabilities who participate in NDSU programs and services and/or use campus facilities. This policy pertains to individuals relying on the aid of a service or assistance animal to mitigate the impact of a disability, while being mindful of health and safety interests of all those in the campus community. This policy is aimed at facilitating access and providing guidelines with regard to the use of a service or assistance animal in campus buildings. Requests will be evaluated on a case-by-case basis through an interactive process.

"Service Animal", as defined by the Americans with Disabilities Act, means a dog individually trained to do work or perform tasks for people with disabilities. Service animals perform some of the functions and tasks that an individual with a disability cannot perform for him/herself in activities of daily living. A service animal is a working animal, not a pet. Examples of service include, but are not limited to, guiding a person with impaired vision, alerting persons with hearing loss to intruders or sounds, interrupting distressing or harmful behavior (example: compulsions), and aiding persons with impaired mobility by steadying the person when walking. Their service for the individual entitles them to access public places and common areas. Note: Under specific circumstances, a miniature horse may qualify as a service animal; however, a service animal will commonly be referred to as a dog when explaining policy details.

2. **Use of Service Animals at NDSU**

   a. To qualify for having a service animal on campus, an individual must:
      1. Have a disability as defined by the Americans with Disabilities Act, AND
      2. Be accompanied by a dog that is trained to do specific tasks or work for the individual with a disability.

   b. If the work of the animal is not readily identifiable, NDSU may make the following inquiries:
      1. Is this animal required because of a disability?
      2. What work or tasks is the animal trained to perform?

   c. **Students with disabilities** accompanied by a service animal are encouraged to open a file with the Disability Services office on campus. Registering with Disability Services can be useful to students to review additional disability-related needs and to identify reasonable accommodations. While having a service animal does not obligate the student to register with Disability Services, making requests for classroom or other reasonable accommodations does require registration with Disability Services. Students applying for campus housing are strongly encouraged to notify the Residence Life department and Dining Services of their plans to bring a service animal to

campus. This can be very important when making room assignments and considering building configurations as well as identifying roommates for compatibility.

d. **Employees with disabilities** are subject to consideration under Title I of the Americans with Disabilities Act. As such, employers can expect employees to submit disability documentation to establish the need for a service animal as a reasonable accommodation at work, as warranted. Employees with disabilities seeking approval for a service animal are expected to register with the Human Resources/Payroll Office and, if necessary, establish that an animal meets the service animal definition.

e. **Visitors with disabilities** who utilize a service animal at NDSU are invited to request accommodations related to their needs (if any) or that of the service animal. If additional information or accommodations are needed, visitors may contact the hosting department or event sponsor. Both the visitor and the hosting department are invited to consult with the ADA Coordinator if accessibility questions surface.

f. The University may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger or where their use may compromise the integrity of research (e.g., work in the life sciences.) Such restricted locations may include, but are not limited to, the following areas: research laboratories, classrooms with demonstration/research animals, wood shops and metal/machine shops, electrical shops, medical and veterinary surgical areas, mechanical rooms, custodial closets, and nuclear research areas. Exceptions to restricted areas may be granted on a case-by-case basis by contacting the Disability Services office and the appropriate department and/or laboratory representative. The person directing the work in the restricted area will make the final decision based on the nature of the research and the best interest of the service animal.

3. Use of Assistance Animals at NDSU

a. **Assistance animals (those that do not meet the criteria for being a service animal)**

Assistance animals, often referred to as therapy or emotional support animals (ESA's), are prescribed to mitigate the impact of a disability by providing emotional support, comfort, calming, stability, socialization and/or other types of assistance. Assistance animals may or may not have specific certifications, but are prescribed or deemed necessary by a qualified professional to allow an individual equal access to use and enjoy campus housing facilities. Unlike service animals, the type of animal to qualify may vary and does not need to be trained to perform specific work for the individual with the disability. **The university can and does require relevant disability documentation to evaluate the potential need for an assistance animal, while considering the reasonableness of the requested accommodation**.

b. **The following documentation needs to establish the basis for an assistance animal in campus housing:**

1. Verification of a documented disability from a qualifying professional (examples: psychiatrist, psychologist, neuropsychologist etc.)
2. Clear correlation between the functional limitation(s) of the disability and the role of the animal.
3. Verification that the animal is necessary for the student to use and enjoy campus housing.

c. **Students with disabilities** are required to contact the Disability Services office to begin the disability eligibility process by completing an application, submitting disability documentation and meeting with a staff member to make accommodation request(s) and to develop an accommodation plan.

Incoming or currently enrolled students should provide the Disability Services office with appropriate documentation at least **60 days before housing is needed.** Such advance notice helps ensure accommodations are appropriate and necessary, while fostering a smooth transition to University Housing.

The Disability Services office staff will review the documentation and arrange for conversations between the Associate Director of Operations for Residence Life, the person making the request, and a Disability Services staff person to facilitate the accommodation. Accommodation needs for the individual and/or assistance animal will be determined on a case-by-case basis.

d. **Employees with disabilities** are required to contact the Human Resources/Payroll office to begin the disability eligibility process, submit disability documentation and make their accommodation request(s). See NDSU Policy 168 Reasonable Accommodation on the Basis of Disability-Guidelines for Employee Requests for procedures and forms. Documentation required to establish the basis for an assistance animal will be the same as required of a student in section 3.b. above.

e. **Visitors with disabilities** are required to contact the primary sponsoring/hosting department of the program/event for which they plan to attend for consideration to bring an assistance animal on campus to mitigate the impact of a disability. Documentation required to establish the basis for an assistance animal will be the same as required of a student in section 3.b. above. Both visitor and the sponsoring/hosting department are invited to consult with the ADA Coordinator if accessibility questions surface.

4. **Responsibilities of Persons Using Service or Assistance Animals** (formerly section 3)

a. The care and supervision of an approved animal is the responsibility of the individual who uses the animal's service. This person is considered the "handler" of the animal. It is important for the handler to maintain control of the animal at all times. Requirements for clean-up of animal waste are based on the City of Fargo Policy. If the handler is unable to physically remove the waste, an alternative arrangement should be coordinated through Disability Services, Residence Life, Human Resources/Payroll for employees or the sponsoring/hosting department for visitors. When appropriate, spaces will be designated as animal toileting areas by NDSU Facilities Management and Residence Life staff.

b. Animals need to be immunized against diseases common to that animal. Dogs should wear a current rabies vaccination tag.

c. Animals housed in a University residence hall or apartment (University Housing) must have an annual clean bill of health from a licensed veterinarian. When necessary, the university has authority to direct that a service animal receive veterinary attention.

d. Students and employees utilizing a service animal will be required to follow the City of Fargo licensing and animal tag policy.

e. The City of Fargo has an ordinance requiring pets to remain on a leash when not on the owner's property; service animals are subject to this ordinance, except when doing so would interfere with the task(s) they're trained to perform to mitigate the impact of the disability. Under such circumstances, the animal's behavior may be managed through voice commands (for example).

f. A person who has a service or assistance animal on campus is financially responsible for property damage caused by his or her service or assistance animal.

5. **Expectations for Service and Assistance Animals' Behavior**

An animal whose behavior is disruptive or presents a direct threat to the safety of others may be removed from NDSU. For purposes of public health and safety, service and assistance animal users

are asked to keep animals well groomed and provide prompt and ongoing attention to the overall care of the animal.

6. **Service Animals in Training**

A trainer with a service-animal-in-training may enter any place of public accommodation, common carrier, facility of a health care provider, and any place to which the public is generally invited, without being required to pay an extra charge for the service animal in training (ND 25-13-02.1). The trainer must notify the designated office regarding the presence of the animal, and have current immunization records available. The trainer is liable for any damage done to the premises or facility by a service animal in training.

7. **Conflicting Disabilities**

The university will work with qualified individuals with disabilities who request accommodations to identify a solution that serves those with disabilities who have competing needs. Individuals who are adversely impacted by the presence of an animal due to a disability must submit documentation of their condition to the appropriate office for consideration when requesting reasonable accommodations. Students are required to submit documentation to the Disability Services office and apply for services. Employees would submit documentation and accommodation requests to the Human Resources/Payroll department. Visitors should contact the sponsoring/hosting department. Consult the ADA Coordinator if accessibility questions surface.

8. **Dispute Resolution Procedure**

In the event of a dispute or disagreement about a disability determination, appropriateness of an accommodation, service quality, or an animal restriction, a student should confer with the Disability Services Director. The student would follow the dispute resolution procedure on the Disability Services webpage. If the student remains dissatisfied after following the dispute resolution procedure, he or she may contact the ADA Coordinator to discuss the matter and file a formal equal opportunity grievance, if desired.

An employee with a dispute or disagreement would confer with a staff member in the Office of Human Resources/Payroll and if the concern is not resolved, he or she may contact the ADA Coordinator to discuss the matter and file a formal equal opportunity grievance, if desired.

A visitor with a dispute regarding the use of a service or assistance animal at NDSU should contact the sponsoring/hosting department. If the concern is not resolved contact the ADA Coordinator.

Students, employees and visitors have the option, at any point, to consult with the ADA Coordinator regarding concerns about possible discriminatory conduct.

9. **Responsibility of University Community Members Regarding Service or Assistance Animals**

Members of the university community are expected to follow these guidelines regarding service or assistance animals:

a. Allow service animals to accompany the handler at all times and everywhere on campus except where animals are specifically prohibited due to safety or health restrictions, or where the animal may be in danger, or where the integrity of research may be compromised due to the presence of chemicals and/or organisms;

b. Allow assistance animals to reside with the handler in their on-campus residence once proper approval has been obtained;
c. Do not touch or feed a service or assistance animal unless invited to do so;
d. Refrain from distracting, startling or taunting the animal, and;
e. Do not separate or attempt to separate the animal from its handler.

Relevant NDSU policies and City of Fargo ordinances include:

* NDSU Policy 100.1 - Nondiscrimination on the Basis of Disabilities and Reasonable Accommodation

* NDSU Policy 606 - Guidelines for Student Requests for Reasonable Accommodation

* City of Fargo regulations

HISTORY:

New	December 2006
Amended	July 2007
Amended	September 2007
Housekeeping	December 2009
Housekeeping	July 2010
Amended	February 9, 2015

Policy Change Cover Sheet

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

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

SECTION: 104 Recruitment Period for Position Announcements

7. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping change replacing reference to Office for Equity and Diversity with Office of the Provost

8. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/5/15
   - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
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SECTION 104
RECRUITMENT PERIOD FOR POSITION ANNOUNCEMENTS

SOURCE: NDSU President

1. All broadbanded employee positions will be posted for a *minimum* of ten (10) working days. Posting beyond the minimum is encouraged and the length of the posting period beyond the minimum is determined by the hiring department. In most cases, the broadbanded, administrative/managerial, and professional positions will be posted for longer than the ten working-day minimum.

   The posting period begins on the day the Request to Recruit is approved.

2. All non-broadbanded positions will be posted for a *minimum* of twenty (20) working days. Posting beyond the minimum is encouraged and the length of the posting period beyond the minimum is determined by the hiring department. In most cases, the non-broadbanded executive, administrative/managerial, instructional/academic and professional positions will be posted for longer than the 20 working days.

   The posting period begins on the day the Request to Recruit is approved.

3. All position announcements will include a closing date. To provide flexibility to consider applications received after this date, the position announcement may be written in a number of ways such as:

   - Initial screening to begin on (date) and will continue until position is filled
   - For full consideration, applications must be received by (date)
   - The closing date may be given with the qualifier "or thereafter until the position is filled"

   If the hiring department does not use language such as that suggested above, the date given should be treated as an absolute date, and no applications postmarked after that date should be considered.

4. Occasionally, circumstances will dictate an exception to these posting period requirements. In such cases, the employing department should contact the Office of the Provost or the Office of Human Resources/Payroll prior to submitting the Request to Recruit.

HISTORY:

New	July 1990
Amended	April 1996
Amended	October 2000
Amended	October 2007
Amended	December 2007

Policy Change Cover Sheet

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

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

SECTION: 112 Pre-Employment and Current Employee Criminal Record Disclosure

10. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes x☐ No
    - Describe change: NDUS Board Policy Change to add expand the requirement for additional criminal background checks prior to hire.
    - 10/9/15 per Matt Hammer – changing NDUS to NDSU in Section 2.

11. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted Human Resources and Payroll, Colette Erickson, 09/08/2015
    - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 112
602.3 Job Applicant/Employee Criminal History Background Checks

~~PRE-EMPLOYMENT AND CURRENT EMPLOYEE CRIMINAL RECORD DISCLOSURE~~

SOURCE: NDSU President
SBHE Policy Manual, Section 602.3
NDUS Procedure 602.3

~~1. Job Applicants - Criminal Record Disclosure.~~

1.1 ~~NDSU uses two forms (paper and online) for capturing applicants' criminal record disclosure information. All applicants for employment at NDSU, whether full time or part time, including student employment, must answer the criminal record disclosure questions prior to being hired. The nature of the position (full-time or part-time) will determine if the paper form is used or if this information is captured through the online PeopleAdmin system. Any offer is contingent on return and review of the signed form and verification. The hiring unit is responsible for obtaining the signed form prior to the final offer.~~

1.2 ~~A positive response (that is, the potential offeree answers that they have a criminal record) does not preclude employment. A determination will be made based on the type of conviction, how recent the conviction is, and the relevance of any conviction to the position for which the person has applied. An offer may be withdrawn as a result of these considerations. Disclosure by an applicant for employment under this policy does not prevent the University from enforcing any other policy or requirement with regards to pre-employment criminal record disclosure.~~

1.3 ~~The information shall be kept in the employee's official personnel file (http://www.ndsu.edu/policy/718.pdf) (or, for individuals not hired, with the applicant's file).~~

1.4 ~~Supervisors who have a situation under this policy should consult, prior to making a final hiring determination, with appropriate personnel, for example, Vice President in the Office of Equity, Diversity, and Global Outreach (for non-broadbanded positions), Director of Human Resources/Payroll (for broadbanded positions), University General Counsel, or their Department Chair or Dean.~~

1. Definitions:

   a. CHRC: Criminal History Records Check
   b. SOR: Sex Offender Registry
   c. FBI: Federal Bureau of Investigation
   d. BCI: Bureau of Criminal Investigation
   e. Benefited positions: as defined in SBHE Policy 703.2
   f. New hires: includes

1. Re-hires, transfers, and promotions within the same institution, except when a CHRC and SOR check has been completed at the employing institution within the last 120 days. Promotions do not include faculty promotions when moving from one faculty rank to another faculty rank (e.g. instructor to assistant professor, etc.); and,
2. Transfer from another NDUS institution.

2. ~~Criminal History Background Checks.~~ A nationwide FBI CHRC is authorized for all NDSU positions.

3. A nationwide FBI CHRC ~~criminal history background check~~ is required before beninning employment in the following positions:~~authorized for the following positions:~~

   a. Police officer;
   b. Security guard; and
   c. University Police Dispatchers/Call Center Operators.

4. CHRC and SOR checks are required for new hires for the following positions:
   a. All benefited positions; and

   b. ~~The following positions, whether benefited or non-benefited~~: Non-benefited positions, including volunteers who:

      1. have access to confidential or proprietary information;
      2. have master keys;
      3. have access to cash, credit, debit or other financial transactions;
      4. are resident hall and/or apartment managers, directors or assistants;
      5. are child care employees and other employees who have unsupervised contact with minor children;
      6. are responsible for, or with access to, controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances;
      7. are instructional faculty and staff, including graduate teaching assistants; and,
      8. are counselors and coaches.

~~1. Chancellor, institution president and vice presidents;~~

~~2. Police officer and security guard;~~

~~3. Resident hall and apartment manager or director and assistants;~~

~~4. Information technology staff;~~

~~5. Employees responsible for or with unsupervised access to cash, credit, debit or other financial transactions or numbers, or confidential or other protected information, including medical records, social security numbers, tax, retirement, or vendor or contractor proprietary or other confidential information;~~

6. ~~Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities;~~

7. ~~Child care employees and other employees who have unsupervised contact with children;~~

8. ~~Part-time instructional staff;~~

9. ~~Employees responsible for or with access to controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances; and~~

10. ~~Counselors and coaches~~.

4.1 ~~As stated in SBHE Policy 602.3, a nationwide FBI criminal history background check is required before beginning employment in the following positions:~~
~~a. Police officer; and~~
~~b. Security guard.~~

5. ~~A criminal history records check~~ The CHRC, ~~which~~ may be a North Dakota BCI check, a nationwide FBI ~~nationwide~~ check or check of another state or multiple jurisdictions~~, is required before beginning employment in the following positions:~~

~~a. *All new benefitted hires;*~~

~~b. Chancellor, president, *provost*, and vice presidents;~~

~~c. Resident hall and apartment manager or director and assistants;~~

~~d. Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities;~~

~~e. Child care employees and other employees who have unsupervised contact with children;~~

~~f. Employees responsible for or with access to controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances; and~~

~~g. Counselors and Coaches.~~

~~*The level of check will be determined by the hiring department upon consultation with the central administrative office conducting the search.*~~

~~5. Current Employees~~

5.1 ~~Current employees have a duty to immediately report a criminal conviction covered under this policy (all felonies; and misdemeanors involving violence and theft; or any offense requiring one to register as a sex offender) to their supervisor and the Director of Human Resources/Payroll. See Policy 155 for arrests and convictions involving drugs and alcohol in the workplace. Additional evidence about the conviction (example, the judgment of conviction) may be placed in the employee's official personnel file. The employee can add a statement pertaining to the conviction. Whether the conviction has an effect on employment status will be determined by the supervisor after consultation with appropriate personnel. (See section 4 above.) The employee can request that the conviction information be removed~~

~~from the employee's official personnel file after misdemeanors are over 5 years old and 10 years for felonies.~~

5.2 ~~Information regarding this subsection shall be provided to employees as part of the NDSU Annual Notice of Policies Covered under the ND Risk Management Program.~~

5.3 ~~All current employees are required to sign a Criminal Record Disclosure Form.~~

5.4 ~~Employees arrested or charged by summons to appear for crimes covered by this policy, or for a crime otherwise job related (e.g., a DUI if driving is a job requirement), have a duty to notify their supervisor and the Director of Human Resources/Payroll within five days of the arrest or receipt of the summons. While an arrest is not a conviction, NDSU will determine any potential actions or consequences on a case by case basis.~~

6. The CHRC and SOR checks must be completed before beginning employment. If there is an urgent documented need to start employment within seven working days of selection and prior to the completion of the check, the employee may begin work as scheduled, under proper supervision; however, continued employment is subject to successful completion of the checks.

HISTORY:

New	July 1, 2002
Amended	February 2006
Amended	October 2007
Amended	December 2007
Amended	June 23, 2009
Housekeeping	November 15, 2010
Housekeeping	December 28, 2010
Amended	February 7, 2012

Policy Change Cover Sheet

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

SECTION: 127 Salary or Stipend – Part-Time Academic Staff or Graduate Assistant

13. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating the area for non-banded part-time academic staff to report from Vice President for Equity, Diversity, and Global Outreach to Vice Provost for Faculty and Equity

14. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/5/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 127
SALARY OR STIPEND – PART-TIME ACADEMIC STAFF OR GRADUATE ASSISTANT

SOURCE: NDSU President

1. The Hiring Form 100 and/or Change Form 101 should be used to set up or make changes for individuals who will be paid on the installment method including part-time academic staff and graduate assistants.

2. Process payroll forms for part-time academic staff as follows:

   2.1 Complete the front and back page of the Hiring Form 100 and/or Change Form 101 completely and accurately, excluding those areas marked Human Resources/Payroll Use Only. Submit the original to:

Non-Broadbanded	**Broadbanded**
Vice Provost for Faculty and Equity	Associate Director of Human Resources/Payroll

3. The processing of appointments (Form 100) and Change Forms (Form 101) for graduate assistants is as follows:

   3.1 Complete the front and back page of the Hiring Form 100 and/or the Change Form 101 completely and accurately, excluding those areas marked Human Resources/Payroll Use Only. Submit the original to the Graduate School.

4. These procedures will not affect the processing of work-study or timeslip payroll procedures, see Section 128.

HISTORY:

New	July 1990
Amended	June 1996
Amended	December 1999
Amended	October 2007
Amended	September 2008
Housekeeping	July 2010

Policy Change Cover Sheet

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SECTION: 129 Salary Administration Policy

16. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating the name of the reporting office from Equity, Diversity, and Global Outreach to the Office of the Provost, and updating the title from Vice President for Equity, Diversity, and Global Outreach to the Vice Provost for Faculty and Equity

17. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/5/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 129
SALARY ADMINISTRATION POLICY

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

1. **Philosophy and Objectives**

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

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

second, recognize different performance levels among employees;

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

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

2. **Methods and Guidelines**

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

2.1 Salary adjustments are divided into two main categories:

a) annual budgeted salary adjustments and

b) other salary adjustments.

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

a) President's Office provides any relevant legislative or Board directives regarding salary adjustments after consultation with the NDUS office staff and the Chancellor's Cabinet.

b) The President and Vice Presidents determine priority needs of the institution that

require use of salary dollars (faculty promotions, new positions and/or reallocations) based on information from sources such as deans, directors, department chairs, the Office of Human Resources/Payroll, the Office of the Provost, the President of the Faculty Senate, the President of the Staff Senate, the Program Review Committee, and Planning, Priorities and Resources Committee.

c) The President and the Vice Presidents establish guidelines, using institutionally recognized market and internal equity data and input from the campus community. They communicate the guidelines to be used in making adjustment decisions, indicating the proportion of salary dollars allocated to each type (see Definitions). These types and proportions are determined according to institutional needs and initiatives whenever campus-wide adjustments are possible.

d) Once the types and proportions have been determined, the President and Vice Presidents allocate remaining salary adjustment pools to their respective administrative units.

e) Unit administrators, using the guidelines established by the President and Vice Presidents, allocate the salary pools within their units.

f) Within the units, each administrator/supervisor develops individual salary adjustment recommendations using performance documentation and other data appropriate to that year's guidelines (institutionally recognized internal equity or market studies, for example).

g) Unit administrators review and discuss recommendations and documentation for the recommendations (performance documentation, institutionally recognized market or internal equity data) with the administrator/supervisor, adjust the recommendations and/or forward the recommendations to the appropriate vice president.

h) Prior to recommending the final salary adjustments to the President, each Vice President will consult with the Director of Human Resources/Payroll and/or the Vice Provost for Faculty and Equity to review implications of the recommended adjustments for the campus as a whole and to advise the Vice Presidents on whether there is appropriate documentation for the adjustment, the potential impact on equity generally or whether the proposed adjustment is in compliance with policy.

i) President presents the budget including salary adjustments to the Chancellor.

j) Following SBHE approval of the budget, administrators/supervisors, when possible, will inform each employee of his/her salary for the coming fiscal year and the basis for the salary decision prior to the distribution of the University's annual salary notifications.

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

3. **Process for Impartial Review of Salary Adjustment Decisions**

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

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

a) **Staff employees**: NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment.

b) **Faculty**: NDSU Policy Manual, Section 353, Grievances - Faculty. This grievance procedure is available to instructors, assistant, associate and full professors, lecturers and graduate teaching assistants.

c) **Nonfaculty, nonbanded employees**: NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment. The Staff Personnel Board described in Step 4 will consist of other nonfaculty, nonbanded employees.

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

4. **Distribution and Communication of the Policy**

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

5. **Definitions**

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

5.1 **Cost of living adjustment** is an across-the-board amount related to--but not necessarily the same as--the changes in the cost of living (determined by the Consumer Price Index which reflects the changes in the cost of various consumer items during the previous 12 month period). Cost of living adjustments become part of an individual's salary base.

5.2 **Internal equity** is a comparison of salaries for similar positions at NDSU (or in the University System and/or State government when there is a limited basis for comparison at NDSU) based on appropriate and relevant data including these factors: **previous related experience** outside the university, a sustained change in **responsibility** that is more or less than what is considered normal for that type of position, **education**, or **responsibility level** within a group of similar positions at NDSU. Internal equity adjustments become part of an individual's base salary.

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

5.3 **Market or external equity** is the comparison of NDSU salaries with those of other employers in the applicable recruitment area based on bona fide and relevant data. While NDSU may recruit nationally to fill a position, the salary may be established by using institutionally recognized, regional data. Market or external equity adjustments become part of an individual's base salary.

5.4 **Performance adjustment** is one based on level of performance identified through documentation, including an established review process. Performance adjustments may be made in one of two ways:

a) As a one-time payment when performance has been **exceptionally meritorious in the preceding year**. This type of adjustment does not become part of the salary base and is made as a single payment. The source of salary funding may dictate the availability of this option.

b) As a range of adjustments based on **sustained** meritorious performance. This type of adjustment becomes a part of the salary base.

6. **Guidelines for Other Salary Adjustments**

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

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

6.1 **Non-broadbanded staff.** When an employee moves from one position to another involving an increased level of responsibility, the employee may receive a salary adjustment appropriate for the new level of responsibility. The adjustment must be consistent with internal equity and market and is subject to approval of the appropriate dean/director, vice president and the President.

6.2 The equity adjustments for staff are normally limited to ten percent but may exceed that amount with supportive documentation (NDUS Human Resource Policy Manual 5.1.6).

6.2.1 **Equity adjustments**. On a case-by-case basis, significant internal inequities may arise outside the annual salary review process described in 2.1. In these unusual situations, a request for an adjustment may be initiated. Factors generally considered are directly related experience, job performance and level of responsibility. The decision to request an equity adjustment should include consultation with the Office of Human Resources/Payroll and/or the Office of the Provost, whichever is appropriate, and appropriate documentation should accompany the NDSU Change Form 101.

6.2.2 **Market adjustments**. A market adjustment is intended to mitigate a documented external inequity using North Dakota University System recognized market data. Market adjustments are normally limited to ten percent but may exceed that amount with supportive documentation and appropriate administrative approval. Market adjustment proposals must consider institutional internal equity.

6.3 **Responsibility adjustments** including interim and administrative appointments

6.3.1 Adjustments for substantial, documented reassignments or changes in the duties/responsibilities within the same position may be initiated after consultation with the appropriate vice president or president. Documentation should accompany the

NDSU Change Form 101.

6.3.2 For staff employees, rationale will include changes in the level of responsibility as documented by a Position Description; and changes in band and/or job family.

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

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

HISTORY:

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

Policy *130* Version 1 *100215*

Policy Change Cover Sheet

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

SECTION: 130 NDUS Human Resources Policy Manual, Section 6

19. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: There is a job family listed that is no longer a job family that can be used.

20. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted Human Resources and Payroll 10-2-2015
    - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 130
ANNUAL LEAVE

SOURCE: NDUS Human Resources Policy Manual, Section 6
NDSU President

1. Annual leave with pay is earned by eligible employees for the purpose of freeing them from their regular duties to spend time in rest and recreation or to attend to personal matters. Upon approval, annual leave may only be used in place of regularly scheduled work hours and shall not cause overtime. Such leave should be programmed to insure that leave is taken rather than carried forward from year to year.

2. University operations govern annual leave periods. Consideration is given first to the convenience of the administration, departmental needs, then the employee's departmental seniority and finally to the employee's preference. Annual leave is computed on the basis of the employee's hours/week, and months/year.

   2.1 The employee must obtain authorization from his/her department head before taking annual leave. The form of this authorization is to be determined by the respective department head.

   2.2 The employee is responsible for furnishing their supervisor or department head with a completed "Notification of Employee Leave" card upon returning to work.

3. Annual leave with pay for full-time benefited, broadbanded staff employees is earned on the basis of continuous service from date of employment as follows:

   First through third year - the equivalent of 12 days per year
   Fourth through seventh year - the equivalent of 15 days per year
   Eighth through twelfth year - the equivalent of 18 days per year
   Thirteenth through eighteenth year - the equivalent of 21 days per year
   Over eighteen years - the equivalent of 24 days per year

   Annual leave for full-time, non-banded employees in the following job categories is earned on the same basis as for staff employees: graduate research fellows (2230), graduate teaching fellows (2235), post doc research fellows (2240), research scientists (2420), ~~extension program assistants (2530)~~, and international exchange scientists (2810).

   Graduate teaching, research or service assistants and experiment station project assistants do not earn annual leave.

   3.1 Years of service shall be computed from the employment anniversary dates.

   3.2 Annual leave for part-time staff employees and the non-banded employees identified above in 3 is earned on a prorated basis.

4. Presidents, executive deans, provosts, vice presidents, positions excluded from the broadbanding system, and other positions approved by the President or chancellor at the time of hire are entitled to

accrue a minimum of twelve working days and a maximum of 24 working days of annual leave each year to be taken at the convenience of the administration. Accrual rates for these employees are determined by the institution president. For any of these employees who are less than full-time, the annual leave will be prorated.

Each department may negotiate annual leave accrual on a case-by case basis during the recruitment, with prior Presidential approval. Current benefitted employees are not eligible.

5. Annual leave for 12 month faculty and other non-banded job categories not identified in #3 above is earned at the rate of 16 hours per month, 24 days per year. Annual leave will be prorated for those who are less than full-time. For non-banded employees on 9, 10, or 11, month appointments, see Section 320.

6. All eligible employees may accumulate annual leave hours. Full-time employees may accumulate up to 30 working days or 240 hours which shall be carried forward on January 1st of each year. Part-time employees may accumulate up to the equivalent number of days or hours on a prorated basis. Any accumulation in excess of 30 days or 240 hours (or the equivalent on a prorated basis for part-time employees) on December 31st of each year shall be cancelled.

7. All employees eligible to accumulate annual leave must take at least forty hours (or the equivalent on a prorated basis for part-time employees) of annual leave each year, except for the year during which they are hired.

8. When a holiday occurs during annual leave, the holiday is not considered a day of annual leave time.

9. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll, an employee may be granted annual leave in advance of the accumulation thereof.

10. Benefited employees terminating employment must be paid for earned unused annual leave subject to all approved payroll matched reductions/deductions. "Unused annual leave" shall include any leave carried over from the previous year and all accrued leave up to the date of termination. Proper termination notice must be given and any unearned annual leave taken shall be deducted from the employee's last paycheck.

    10.1 Annual leave earned by an employee on a 12 month appointment may not be carried forward by the employee to be used or paid for during the term of a subsequent appointment for less than 12 months and must be paid out.

11. In case of death, payment of all earned, unused annual leave shall be paid according to Section 34-01-12 of the North Dakota Century Code. (See Section 183.)

12. Accrued annual leave for employees previously employed with other North Dakota institutions or agencies may be transferred to institutions under the State Board of Higher Education according to agreements between the employee and the institution. If re-employment occurs within one calendar year, the re-employing institution shall credit the employee with prior years of service from any state agency in computing annual leave accrual rate.

13. When employment begins or ends during a pay period, the accrual of annual leave shall be prorated for the pay period when the employee is hired or terminated and does not work a full pay period.

14. "Notification of Employee Leave" cards are processed on an on-going basis. Each department is responsible for verifying the Departmental Leave Record. Late Leave Cards and errors must be submitted to the Office of Human Resources/Payroll for entry and/or correction.

HISTORY:

New	July 1990
Amended	April 1996
Amended	March 1998
Amended	October 1999
Amended	April 2002
Amended	October 2003
Amended	March 2006
Housekeeping	April 2010
Housekeeping	May 15, 2012
Housekeeping	April 11, 2013
Housekeeping	July 12, 2013
Amended	March 26, 2014
Amended	November 7, 2014
Amended	June 22, 2015

Policy Change Cover Sheet

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SECTION: 150 Commercial and Fund-Raising Activities

22. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating references to the tile of Policy 601 from Code of Student "Behavior" to Code of Student "Conduct"

23. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 9/28/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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SECTION 150
COMMERCIAL AND FUND-RAISING ACTIVITIES

SOURCE: Rights and Responsibilities of Community: A Code of Student Conduct
NDSU President

1. Recognized student organizations must register fundraising activities with the Associate Director of Memorial Union/Student Activities at least two (2) weeks prior to advertising or initiating fundraising efforts.

   Activities or items associated with fundraisers must be consistent with University policies.

   Student organizations may use university facilities for sponsoring events at which an admission is charged or donations are solicited, provided that the group has worked with appropriate departments in reserving facilities and coordinating activities. Facility rental fees may be assessed for events at which admission is charged.

2. Organizations not affiliated with NDSU and Individuals (regardless of affiliation with NDSU) may not advertise, sell, conduct a business, or raise funds on the campus or in university residences without first registering and receiving written permission from the following:

In all University apartments, from the Assistant Director for University Apartments and Residence Services. Commercial activities in public areas of University Apartments will not be allowed.

In residence halls, from the Associate Director of Housing and Residential Life. Commercial activities in public areas of residence halls will not be allowed.

In fraternity or sorority houses, from the president of the individual fraternity or sorority; permission will be limited to allowing commercial activities in public areas - not including rooms or corridors.

In Memorial Union, from the Memorial Union Director or the Director's designee. Approval requires a confirmed reservation of space in the Memorial Union. Rental fees (if applicable) will be assessed for space utilized for these purposes.

In the Wellness Center, from the Wellness Center Director or the Director's designee.

In all other areas, please consult the Dean of Student Life Office for referral to the appropriate University official.

3. Parking areas (Leaflets) Placing flyers or other leaflets on vehicles on the NDSU campus, including those in NDSU parking lots, is prohibited. Information left on vehicles will be removed and destroyed. If litter results from such activities, the sponsoring individual/group may be required to pick up discarded flyers or may be billed by the University for providing that service.

4. Raffles or lotteries require a permit from the City of Fargo. Permit applications may be obtained from the City Auditor's office or the Memorial Union Student Activities Office.

   Fundraisers specifically for employees or students due to severe emergencies or hardships may be performed on University property only if it is sponsored by a University department or by a recognized student organization. These fundraisers shall be for those NDSU employees and students who have experienced severe emergencies or hardships such as losing their home and/or all their belongings due to fire or natural disaster, or financial hardship through overwhelming and unforeseeable medical expenses. In the event of such fundraisers, no state funding shall be used, nor shall there any use of consumable state property.

   There shall be strict accounting of the costs associated with the fundraiser, as well as an accounting of both donated cash and donated items for the individual or family. The responsibility and accountability of the fundraising activities shall be with the individual fundraiser organizers/planners, not the sponsoring department or student organization. NDSU shall not be held responsible for such fundraising activities beyond the normal use of University facilities.

5. In all fundraising activities for employees or students, activities and items associated with it must be consistent with University policies.

   NDSU departments and student organizations wishing to sponsor a fundraiser for an employee or student shall go through the appropriate channels to secure the facilities needed. In the case of fundraisers for NDSU employees, the event must be approved by the appropriate Vice President; and fundraisers for students need to go through the Vice President for Student Affairs of designee.

HISTORY:

New	July 1990
Amended	August 2005
Amended	October 20, 2010

Policy Change Cover Sheet

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SECTION: 154 Distribution of Literature

25. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating references to the tile of Policy 601 from Code of Student "Behavior" to Code of Student "Conduct"

26. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 9/28/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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SECTION 154
DISTRIBUTION OF LITERATURE

SOURCE: Rights and Responsibilities of Community: A Code of Student Conduct

1. All individuals or organizations responsible for distribution of literature on campus must be identified on the literature.

2. All individuals or organizations distributing literature will be held responsible for cleaning up all litter resulting from its distribution. Clean-up costs will be assessed to any such person or group which does not clean up all such litter within a reasonable time.

3. Distribution by means involving shouting, pursuing, hawking, or accosting individuals is prohibited, as is any interference with normal University functions or interruption of the free flow of traffic, inside or outside a building.

4. Commercial literature may not be sold or distributed on campus unless the rules governing advertising in the NDSU Policy Section 150, Commercial and Fund-Raising Activities, have been followed. (These rules include prohibiting the placing of leaflets or flyers on cars on the NDSU campus.)

5. Any person or group of persons wishing to distribute literature to the public in the Memorial Union may use the following methods:

    a. literature racks located near the Service Center on the main level;

    b. contact tables in the main concourse area, available for reservation for up to two-week periods, (a rental fee will be charged for off-campus entities wishing to utilize contact tables);

    c. exterior locations as designated by the University. Exterior location distributions are limited to one location for no more than two consecutive weeks per group, with at least five class days between multiple registrations. In times when a large number of requests have been received, the Memorial Union Director reserves the right to reduce the two week limit to accommodate as many users as possible. Distributor(s) must register in advance in the Memorial Union Administrative Office, at which time the following information will be required.

        a) the type, location, date(s), and time of the distribution;

        b) a copy of the literature;

        c) the name of the organization represented, if any; and

        d) the name, address, and signature of the person or a group representative.

6. Literature may not be distributed in classrooms except by permission of the instructor or by registered student organizations at the scheduled meetings or events.

7. Literature may not be distributed in buildings on campus other than the Memorial Union unless it is University or student organization sponsored and complies with building policies. An employee, student or visitor may not solicit or distribute literature to NDSU employees in work areas for matters not related to NDSU business (See Policy 706.3). Literature may not be distributed in classrooms except by permission of the instructor or by recognized student organizations at the scheduled meetings or events. Literature to be distributed within the Residence Halls must be approved by the Associate Director of Residence Life.

8. A poster distribution list of places on campus where notices may be posted is available in the Student Activities Office, Memorial Union 360. Bulletin boards in buildings on campus are restricted unless a notice on the board states otherwise.

9. Demonstrations

9.1 The University community is one of inquiry and persuasion. An individual or group may protest, rally or demonstrate provided such protest or demonstration does not disrupt University operations or obstruct physical movement to, from, or within any place on the campus, including University property located off the main campus. While the campus must be open to the free exchange of ideas, the University may limit the time, place and manner of protests, rallies, and demonstrations. All members of the community are expected to conduct dialogues with dignity and courtesy. Organizers and participants must allow other community members freedom of movement on campus and the freedom to engage in the performance of their duties or the pursuit of their educational activities

9.2 A protest, rally, or demonstration must not interfere with the missions, processes, procedures or functions of the University. Therefore, organizers and participants must recognize and allow the staff and faculty of the University to engage in the performance of their duties, and for students to pursue their educational activities. Impeding or restricting these activities by making noise, blocking entrances or exits from University facilities, or by coercion, intimidation or threats or use of violence is unacceptable.

9.3 Organizers and participants are expected and required to vacate an area or facility of the University when directed to do so by an appropriate official of the University for reasons stated in subsections 9.1 or 9.2 or if there has been a failure to register pursuant to 9.4.

9.4 Any protest, rally or demonstration must be registered with the Director of the Memorial Union and University Police prior to the event. Whenever possible, at least 24 hours lead time will be given. The registration process will enable University officials to:

A. Outline and discuss with demonstrators the guidelines necessary to keep the demonstration non-violent and non-disruptive.
B. Plan for the control of possible counter-demonstrations which would infringe upon the rights of the demonstrators or result in violent or abusive action.
C. Identify information similar to section 5.

9.5 If the Demonstration/Parade will involve a public street, applicants may also have to get a City of Fargo Special Event permit. Parades through campus buildings are not permitted, except in the case of a silent march through the Memorial Union.

HISTORY:

New	July 1990
Amended	July 2001
Amended	December 2002
Amended	April 2005
Amended	November 2005
Amended	October 2007

Policy Change Cover Sheet

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SECTION: 154.1 Sale or Distribution of Racially and Sexually Offensive Material

28. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating the contact for this policy from the Office of Equity and Diversity to the Vice Provost for Faculty and Equity

29. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 9/28/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

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SECTION 154.1
SALE OR DISTRIBUTION OF RACIALLY AND SEXUALLY OFFENSIVE MATERIAL

SOURCE: NDSU President

North Dakota State University is committed to providing its students and staff with an environment for learning and working that is free from racial and sexual discrimination. The University thus does not approve of the sale or distribution by its departments or recognized student organizations of any material that is racially or sexually offensive to other members of the NDSU community.

This Policy is intended to prohibit, for example, the sale of clothing or banners with derogatory references to other school mascots that have an ethnic basis.

Questions regarding other applications of this Policy may be addressed to the Vice Provost for Faculty and Equity, 201 Old Main, (701) 231-7128.

HISTORY:

New	August 21, 1989
Amended	July 2001
Amended	October 2007
Housekeeping	June 2015

Policy Change Cover Sheet

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SECTION: 155 Alcohol and Other Drugs: Unlawful and Unauthorized by Students and Employees

31. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating references to the tile of Policy 601 from Code of Student "Behavior" to Code of Student "Conduct" and updating the term behavioral probation to conduct probation

32. This policy change was originated by (individual, office or committee/organization):
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    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

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

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North Dakota State University

Policy Manual

SECTION 155
ALCOHOL AND OTHER DRUGS: UNLAWFUL AND UNAUTHORIZED USE BY STUDENTS AND EMPLOYEES

SOURCE: NDSU President

SBHE Policy Manual, Section 918

1. NDSU complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the Drug Free Workplace Act of 1988, Public law 100-690 and the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, and 2 CFR § 182.215.

   North Dakota State University has a genuine caring concern for the community in which it lives and for its people. For this reason, the university is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and the safety and welfare of all members of the university community.

   This policy statement has been established because NDSU:

   - is committed to changing the culture that perpetuates the misuse and abuse of alcohol and other drugs;
   - is concerned with promoting the well-being of our community, including visitors to campus;
   - believes that the solution to alcohol and other drug misuse and abuse will require a community solution.

   The misuse and abuse of alcohol and other drugs represents a major health problem in the United States today and poses a serious threat to the health and welfare of the NDSU community. In addition, alcohol and other drug abuse consequences can limit career choices and achievement. NDSU has gathered data that demonstrates that high-risk drinking among students is significantly associated with violence, memory loss, driving under the influence (DUI), sexual assault victimization, lessening of academic performance, estrangement of social relationships and property damage. Studies outside the university show that alcohol misuse can result in serious bodily injury, illness, or death. This policy applies to all NDSU students and employees, as well as visitors to campus.

2. The State Board of Higher Education prohibits the possession, sale, dispensation, use or consumption of

alcoholic beverages upon land or in buildings owned by the Board or its institutions. Exceptions may include the lawful possession of alcohol in family student residences, on-campus professional staff residences, fraternities and sororities (in certain circumstances), the President's residence, and other special exceptions as granted by the President or the President's designee. For the complete State Board of Higher Education policy see SBHE Policy 918: Alcoholic Beverages.

The University prohibits the *unlawful or unauthorized* use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in University buildings, any public campus area, in University housing units, in University vehicles, or at any University affiliated events held on or off-campus, which are sponsored by students, employees and their respective campus organizations (including all fraternities and sororities).

For NDSU employees, non-compliance with this policy could result in disciplinary action up to and including termination of employment (see section 5.2).

For NDSU students and student organizations, non-compliance with this policy could result in disciplinary action up to and including suspension, expulsion or loss of status as a registered student organization (see section 5.1).

3. The University recognizes that chemical dependency and chemical abuse are concerns that can impact both academic success and work performance and there are assistance programs available to help individuals experiencing problems. When appropriate, NDSU personnel may refer students and employees to the NDSU Counseling Center or to agencies outside of NDSU for evaluation and/or treatment for alcohol or other drug related problems. As part of their benefit package, employees may access services through the Employee Assistance Program. Employees may refer students in need of services to the Counseling Center at (701) 231-7671. Faculty, staff, and students can access information on available drug and alcohol prevention programs the university offers by going to the Alcohol and Other Drug Prevention Programs website.

   3.1 Organizations are required, by Federal Regulation (2 CFR § 182.215), to not only publish a drug-free workplace statement, but also establish a drug-free awareness program for employees. Part of the drug-free awareness program is to inform employees regarding the dangers of drug abuse in the workplace. Information on the health risks of alcohol abuse and drug abuse can be found at the U.S. National Library of Medicine and the National Institute for Health. Additional information can be found at the Alcohol and Other Drug Prevention Programs website.

4. These guidelines apply to students, employees, and campus organizations, which include, but are not limited to registered student organizations under the Congress of Student Organizations. For information concerning applications of this policy, please consult the Assistant Vice President/Dean of Student Life (for students) or the University Human Resources/Payroll Director (for employees).

   4.1 Students and employees and their respective campus organizations may not use organizational or public funds (including general and special funds) for the purchase of alcoholic beverages or associated permits.

   4.2 Sale of alcoholic beverages by students, employees and their respective campus organizations is

strictly forbidden. This is to include any action that can be remotely construed as alcohol sale such as charging admission to parties, passing the hat, selling empty cups, selling drink tickets, etc.

4.3 Off-campus activity conducted by students and employees, and their respective campus organizations shall not encourage excessive and/or rapid consumption of alcoholic beverages. The use of alcohol at any such events is expected to be lawful and low risk. Registered student organizations planning off campus events at which alcohol may be available must complete and file with the Student Activities Office the NDSU Event Risk Management Planning Notification Form. When planning an off-campus work related event where alcohol will be present, employees with questions about low-risk guidelines should contact the Director of Human Resources/Payroll, SGC Building.

4.4 University sponsored events that are held at locations off campus, and at which alcohol may be present, are required to adhere to this policy. In addition, if alcohol will be served at the event, the sponsor(s) of the event should ensure compliance with N.D.C.C. § 5-02-06(4) regarding individuals under twenty-one years of age at events where alcohol is served. Sponsors need to be aware of both potential civil and criminal liability for knowingly serving alcohol to minors or obviously intoxicated persons (N.D.C.C. § 5-01-06.1, § 5-01-09). Oversight of the distribution and consumption of alcohol is required at such events in order to manage risk. If the event is to be held on public grounds, e.g., Fargo parks, the sponsor(s) of the event is/are required to obtain the appropriate permit for the event per N.D.C.C. § 5-02-01.1(2) . See, for example, the Park District of the City of Fargo Alcoholic Beverage Policy.

4.5 Alcoholic beverages shall not be used as awards or prizes in connection with events or activities sponsored by students, employees and their respective campus organizations, on or off- campus.

4.6 The public display of advertising or promotion of the use of alcoholic beverages in University buildings or any other public campus area including all University owned housing areas is prohibited. This includes banners, lighted beer/liquor signs, and large inflatable advertising, etc. (Entities that lease commercial or research property from the university may be excluded. However, the University may, in these leases, include provisions that will assist in its effort to promote legal and safe use of alcohol and to change the culture that perpetuates alcohol and other drug misuse and abuse.)

4.7 Alcohol promotional activities including advertising shall not be associated with otherwise existing campus events, programs, or campus organizational functions on or off-campus. This includes, but is not limited to, such items as: cups, t-shirts, beverage can coolers, and any other items carrying alcohol/beer advertising.

4.8 Advertising of alcoholic beverages shall not appear in University controlled or affiliated publications (including University affiliated web sites). Advertising of establishments that sell alcohol may appear and must adhere to the following guidelines.*

*Student Media (Bison Information Network, the Spectrum, Thunder Radio)

NDSU student media (as governed by the Media Advisory Board (MAB)) is not subject to the advertising portion of this university policy due to first amendment provisions of the US Constitution and State Board of Higher Education Policy 507. Student media organizations are accountable to their established boards (MAB-Bison Information Network; Board of Student Publications-Spectrum, MAB-Thunder Radio) for standards of conduct. Because of the belief that advertising perpetuates the culture of high-risk and underage drinking, the established boards of NDSU Student Media may, if they choose to accept advertising for alcoholic beverages, decide to adopt

guidelines compatible with this policy. Student Media organizations shall comply with all federal laws relating to advertising of alcohol or other drugs.

a) Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse nor shall it promote alcohol specials such as two for one, happy hour drink specials, or any ads that encourage rapid and extensive consumption of alcohol.

b) Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.

c) Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with the performance of tasks that require skilled reactions such as the operation of motor vehicles or athletic performance.

d) Advertising of establishments that sell alcohol shall include a statement of low-risk such as "know when to say when" or "please use our products legally and in a responsible manner".

4.9 Unless otherwise authorized by the President of the University, the use of alcoholic beverages during all events held on the NDSU campus is strictly forbidden (including concerts, theatrical performances, athletics events, workshops, etc.).

5. When students, student organizations, or employees violate University alcohol policy they will be subject to campus resolution. Campus resolution of such acts may proceed before, during, or after any pending civil or criminal proceedings are concluded. Since the campus actions are educational and/or managerial in nature, and not criminal proceedings, such simultaneous actions do not constitute double jeopardy and differing judgments may result.

5.1 Sanctions-Students and Student Organizations: Individual students and student organizations (including fraternities, sororities, residence hall associations and registered student organizations) who are found in violation of the University policy on alcohol and other drugs are subject to one or more of the following sanctions, dependent upon the severity of the violation and the existence or absence of prior alcohol or other drug violations: (For a more complete description of these sanctions and terms and conditions see Code of Student Conduct.)

5.1.1 No action (if alleged conflicts prove to be unfounded).

5.1.2. When a student has been found responsible for violating University policies, one or more of the following sanctions may be imposed:

a. Warning (oral or written).
b. Conduct probation (with or without supervision).
c. Suspension.

d. Emergency suspension.
e. Expulsion.

5.1.3 With each sanction, other restorative actions or other terms and conditions may be assigned. In addition, notification may be given to other university officials as necessary. Terms and conditions include, but are not limited to:

a. Restitution.

b. Confiscation.

c. Restricted access to University facilities/removal from Residence Halls.
d. Loss of privileges (including status as a registered student organization).
e. Required participation in a specific program (i.e., counseling, drug and /or alcohol education).
f. Educational sanction/project (i.e., reflection paper or research).
g. Registration/Graduation Hold.

NOTE: These sanctions and terms and conditions need not necessarily be applied in any numerical sequence. Any sanction may be chosen from this list for any violation, dependent upon its severity, and the behavioral history of the involved student(s) or student organization.

Individual student behavioral actions and or student organization behavioral actions will be adjudicated as assigned by the Assistant Vice President/Dean of Student Life or designee.

Good Samaritan:

Students and student hosts have the responsibility to ensure the well-being of their guests wherever events occur. If an individual or guest needs emergency medical attention, students and student hosts are required to call an ambulance or other appropriate emergency personnel (ambulance, police, fire, etc.) to gain that assistance. Students and student hosts who fail to carry out this responsibility may be subject to serious university sanctions and may be potentially subject to additional civil and/or criminal liability. Students and student hosts who act properly and seek medical attention or police assistance will experience appropriate leniency in university sanctioning related to the event in which the medical emergency arose. See Code of Student Condcut.

Parental Notification:

Parents or guardians of students under 21 may be contacted by an NDSU student affairs administrator following alcohol and/or other drug related incidents:

- If a student is found responsible for violating the University's alcohol/drug policy that results in a University referral for assessments or evaluations for chemical

dependency, and/or when University judicial sanctions of Conduct Probation or greater are assigned.

- Based on situations that appear to endanger the health, safety, or life of other persons or the student.
- If an individual is involved in incidents that resulted in significant property damage.
- If a decision is made that it is in the best interest of a particular student to involve a parent or guardian to help address other significant life concerns related to illegal use of alcohol or other drugs.

See Student Life website for the full policy and rationale.

Financial Aid Eligibility:

A federal or state drug conviction can disqualify a student from receiving federal financial aid funds. The conviction must have occurred during a period of enrollment for which the student was receiving Title IV aid (i.e., Federal Pell Grant, Federal Perkins Loan, Federal Direct Loan, etc.). Depending on whether the conviction was for sale or possession and if the student has previous offenses, the period of ineligibility can range from one year to an indefinite period. The student regains eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program as defined in the Higher Education Opportunity Act of 2008,§ 485(a)(7)(c) and (a)(9).

5.2 Notice and Sanctions - Employees

Individual employees who are found in violation of the University policy on alcohol and other drugs by their supervisors will be reported to the Director of Human Resources/Payroll for consultation prior to action. For potential actions see 5.2.1 and 5.2.2.

Any employee arrested under circumstances involving an alleged violation of a criminal drug or alcohol beverage related statute while in his or her workplace, whether on or off campus; in a University vehicle; or as part of any activity the University initiates or takes part in must notify his or her immediate supervisor within five days of the arrest. An arrest and/or failure to report an arrest, depending on the circumstances may be grounds for actions or sanctions. The status of the criminal proceeding is a factor the supervisor may take into consideration. It is important that the supervisor seek advice from the Human Resources/Payroll Director or the Office of the Provost before taking action in arrest situations.

Any employee convicted of violating any federal, state, or local criminal drug or alcohol beverage related statute in his or her workplace, whether on or off campus; in a University vehicle; or as part of any activity the University initiates or takes part in must notify the University Human Resources/Payroll Director no later than five days after such conviction. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal, state or local court. North Dakota State University is required by law to inform the federal contracting officer within 10 days of receiving notice of a conviction of violating a criminal drug statute from an employee or otherwise receiving notice of such conviction.

If an employee is convicted of violating any criminal drug or alcohol beverage related statute while in the workplace, as described above, University actions may include:

5.2.1 Requiring the employee to participate in a drug assistance or rehabilitation program approved by the University;

5.2.2 Disciplinary action for a violation of university alcohol or drug policy up to and including termination of employment. Disciplinary action may include one or more of the following:

a. Warning/reprimand;
b. Ineligibility to receive the next available annual salary increase;
c. Suspension without pay for up to 5 days;
d. Termination of employment; or
e. Any combination of the above sanctions.

NOTE: These sanctions need not necessarily be applied in any sequence. Any sanction may be chosen from this list for any offense, dependent upon its severity. Referral for prosecution may also be a result of any criminal violations.

Work attendance while under the influence:

Unlawful consumption of alcohol beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of the NDUS are prohibited. See Policy 151 Code of Conduct (for employees).

Local, State and Federal Laws:

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989 a summary of local, state and federal laws related to alcohol and other drugs can be found at the Alcohol and Other Drug Prevention Programs website.

A paper copy of this policy is available from the Human Resources/Payroll Office (for employees) and Bison Connection (for students).

HISTORY:

New	March 18, 1989
Amended	December 1992
Amended	October 1999
Amended	April 2003

Amended October 2003

Amended January 2004
(renumbered) Amended April 2010

Amended March 25, 2011

Housekeeping August 18, 2011

Housekeeping May 22, 2012

Housekeeping June 12, 2013

Housekeeping August 27, 2013

Housekeeping September 2015

Policy Change Cover Sheet

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

SECTION: 158 Acceptable Use of Electronic Communications Devices

34. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating reference to the title of Policy 601 from Code of Student "Behavior" to Code of Student "Conduct"

35. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 9/28/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 158

ACCEPTABLE USE OF ELECTRONIC COMMUNICATIONS DEVICES

SOURCE: SBHE Policy Manual, Section 1901.2 (Computing Facilities)

1. All employees, students, and other users of North Dakota University System computing and networking resources shall comply with applicable laws, policies, and procedures. The chancellor shall adopt procedures establishing rules governing access to and use of computing and networking resources.

2. NDUS Procedure 1901.2, "Computer and Network Usage," contains specific policies, procedures, rights, and responsibilities which also apply to NDSU. See: NDUS Procedure 1901.2.

Of central importance in this document are the definitions of "Authorized Use" and "Authorized Users" from section 1:

"Authorized use: Use of computing and networking resources shall be limited to those resources and purposes for which access is granted. Use for political purposes is prohibited. Use for private gain or other personal use not related to job duties or academic pursuits is prohibited, unless such use is expressly authorized under governing institution or system procedures, or, when not expressly authorized, such use is incidental to job duties or limited in time and scope, and such use does not: (1) interfere with NDUS operation of information technologies or electronic mail services; (2) burden the NDUS with incremental costs; or (3) interfere with the user's obligations to the institution or NDUS."

"Authorized user(s): Computing and networking resources are provided to support the academic research, instructional, outreach and administrative objectives of the NDUS and its institutions. These resources are extended to accomplish tasks related to the individual's status with NDUS or its institutions. Authorized users are (1) current faculty, staff and students of the North Dakota University System; (2) individuals connecting to a public information service (see section 5.3); and (3) other individuals or organizations specifically authorized by the NDUS or an NDUS institution. For the purposes of this policy, no attempt is made to differentiate among users by the user's group. These policies treat all users similarly, whether student, faculty, staff or other authorized user, in terms of expectations of the user's conduct."

3. Examples of **Electronic Communications Devices** (ECD) include NDSU provided computers, telephones, cell phones, facsimile (fax) machines, personal digital assistants (PDA's), network equipment and infrastructure, software, information services, peripherals, flash drives, data media, etc. Use of some of these devices may also be affected by other policies or procedures and local, state, and federal laws. In particular, NDSU Policy Section 710 contains further administrative policy on Computer and Electronic Communications Facilities.

4. Examples of uses which NDSU considers to be **unauthorized and unacceptable uses** of NDSU provided electronic communications devices include but are not limited to: intentionally viewing, listening to, or sharing obscene or pornographic materials including child pornography; political use; personal commercial gain; copyright (DMCA) violations; hacking or other disruption of operations for other ECD's; attempting to conceal one's identity (such as anonymous emails) for an unlawful or improper purpose or use of a false identity; threatening communications; harassment; use contributing to a hostile, intimidating, or offensive work environment; fraud; stalking; luring of minors; and invasion of privacy.

5. The **Acceptable Use Review Committee** (AURC) is charged with establishing recommended procedures and working with NDSU administrators and the NDSU Information Technology Security Officer to ensure consistent responses to alleged violations of this policy.

6. **Alleged violations** of this policy by employees should be reported to the NDSU Information Technology Security Officer and the responsible administrator at the Dean or Director level or higher. The administrator and NDSU IT Security Officer in turn will work with the AURC to assess the situation and recommend an appropriate course of action. The person accused of the violation should not be notified until this discussion has taken place. Allegations concerning students who are not employed by NDSU are guided by the Code of Student Conduct (See Policy Section 601). The outcome of an investigation might include a finding of no violation, a violation of policy or law, and/or referral to law enforcement for criminal investigation.

7. **Sanctions** for violations of policy or law include but are not limited to one or more of the following actions: verbal caution; letter of warning; loss of computer and/or network access; referral to the Employee Assistance Program, training, or education; letter of reprimand; suspension with or without pay; and termination of employment.

8. Employee **questions** about acceptable use should be directed to their supervisors. Supervisors and administrators may contact AURC members or the NDSU IT Security Officer in Information Technology Services (231-8685 option 1) if they have questions.

HISTORY:

New	April 15, 1988
Amended	October 2004
Amended	March 2006
Amended	October 2007
Housekeeping	July 2010
Housekeeping	December 2010
Housekeeping	April 01, 2011
Housekeeping	September 2015

Policy Change Cover Sheet

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

SECTION: 163 Anti-Harassment Policy

37. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating references of the title Vice President for Equity, Diversity and Global Outreach to Vice Provost for Faculty and Equity, and updating references to the Office of Equity, Diversity and Global Outreach to the Office of the Provost

38. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/5/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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SECTION 163
ANTI-HARASSMENT POLICY

SOURCE: NDSU President

1. North Dakota State University is committed to providing a climate which fosters respect for students, staff and faculty as well as others who participate in programs and activities at the University. As part of that commitment, NDSU prohibits harassment as described in NDSU Policy 100 and for protected activity (such as reporting alleged harassment or providing information related to a grievance). This policy is in compliance with federal civil rights laws and agency regulations and guidance implementing these laws.

   1.1 Harassment (based on an individual's membership in one or more of the groups identified above) is defined, for purposes of this policy, as unwelcome verbal or physical behavior which has the intent or effect of unreasonably interfering with the individual's employment or academic endeavors or creating a hostile, intimidating or offensive environment. Harassment may include (but is not limited to) jokes, derogatory comments, pictures, and/or direct physical advances.
   Please note that harassment in electronic forms is also prohibited under NDSU Policy 710 - Computer Facilities.

2. Anyone who feels she/he has been subjected to prohibited harassment is encouraged to report the situation before it becomes severe or pervasive. Individuals may make a report to the Vice President for Faculty and Equity, the Office of Human Resources/Payroll, the Counseling Center, the Disability Services Office, the Associate Director for Student Rights and Responsibilities, or an appropriate administrator. Reports may be addressed on an informal basis at the request of the individual alleging harassment. The person alleging harassment may also file a formal grievance in the Office of the Provost using the Equal Opportunity Grievance Procedures described in NDSU Policy 156.

3. In each case of alleged harassment, the supervisor, in consultation with the Vice Provost for Faculty and Equity, will determine whether an immediate fact-finding investigation is necessary. Although circumstances will affect the time needed to conduct such an investigation, response to an alleged violation of this policy should be handled in a timely manner and a determination reached as soon as possible. Whenever a violation of this policy is determined, immediate and corrective action, including discipline, will be taken.

4. The University will not tolerate adverse actions/retaliation toward anyone who, in good faith, alleges harassment or who provides information related to a grievance. Such retaliation may be the basis for an additional grievance.

5. To the extent possible, the University will maintain the confidentiality of anyone who reports an alleged violation of this policy.

6. In addition to this anti-harassment policy, the University has a policy specifically addressing sexual harassment (see Policy 162).

HISTORY:

New June 19, 2000

Amended	September 2000
Amended	September 2007
Amended	February 2009
Housekeeping	September 2009
Housekeeping	March 2, 2011
Housekeeping	May 22, 2012

Policy Change Cover Sheet

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

SECTION: 168 Reasonable Accommodations on the Basis of Disability – Guidelines for Employee Requests

40. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes as follows:
        - Removing Equal Opportunity Specialist, Equity, Diversity & Global Outreach or Designee
        - Removing Vice Provost for Advancement of Faculty or Designee
        - Replacing them with Vice Provost for Faculty and Equity

41. This policy change was originated by (individual, office or committee/organization):
    - Human Resources & Payroll/Colette Erickson 9/17/15
    - Colette Erikson@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 168
REASONABLE ACCOMMODATION ON THE BASIS OF DISABILITY - GUIDELINES FOR EMPLOYEE REQUESTS

SOURCE: NDSU President

1. NDSU is committed to providing equal opportunity to both applicants for employment and employees with disabilities, as defined by law, by providing reasonable accommodations. To fulfill this commitment, NDSU has established the following guidelines.

2. APPLICANTS for employment:

   2.1 Applicants for employment who have a disability may request reasonable accommodation at any time during the application process. Requests for accommodation shall be made to the Office of Human Resources/Payroll. Applicants will be asked to confirm the request in writing, provided, however, the arrangements for accommodation may be initiated prior to receipt of the written request.

3. EMPLOYEES:

   3.1 Request for reasonable accommodation.
   An employee whose disability requires reasonable accommodation in order to perform the essential functions of his/her job may request reasonable accommodations either formally or informally at any time during his/her employment. However, in all instances the request for reasonable accommodation shall be processed through the Human Resources Department. Human Resource's response will be in writing. Supervisors receiving requests for accommodation from employees shall direct the employee to contact Human Resources in order to address their need for a reasonable accommodation.

   3.2 Process for addressing requests for accommodation.
   Informal accommodation requests shall be made by the employee either in-person or in-writing to the Office of Human Resources/Payroll.

   Formal accommodation requests shall be made in writing using the Employee Reasonable Accommodation form. The completed form shall be submitted to the Office of Human Resources/Payroll. In addition, the employee shall provide to the Office of Human Resources/Payroll relevant, written documentation of a disability from an appropriately certified or licensed health care or rehabilitation professional in a relevant field of the disability and explain the need for reasonable accommodation using the Documentation to Support a Request for Reasonable Accommodation on the Basis of Disability form. To ensure a written timely response from Human Resources, it is recommended that the employee submit the documentation (form) within ten working days of the employee's written accommodation request. Both forms are available on the NDSU forms page or by request

from the Office of Human Resources/Payroll.

3.3 Documentation of disability and need for accommodation.

3.3.1. Documentation provided by an employee should include the following:

a) A statement identifying the disability, the date of the current diagnostic evaluation and the date of the original diagnosis, including diagnostic criteria and/or tests used.
b) A description of the current functional impact of the disability.
c) Treatments, medications, assistive devices/services currently prescribed or in use.
d) A description of the expected progression or stability of the impact of the disability over time.
e) The relevant credentials of the diagnosing professional(s) such as medical specialties or professional licensure.

3.3.2. All written documentation provided by an employee requesting accommodation will be maintained in a confidential file separate from the employee's official personnel file in the Office of Human Resources/Payroll.

3.3.3. Occasionally, the documentation provided by the employee may not be sufficient to make a determination of the appropriate reasonable accommodation. In such a circumstance, the University may require the employee to go to a health care professional of the University's choice in order to adequately document the need for accommodation and identify appropriate accommodations. Any medical examination required under these circumstances will be limited to determining the existence of a disability and the functional limitations that require reasonable accommodation.

3.3.4. Any costs related to the University's request for the additional medical documentation described in 3.3.3 above will be the responsibility of the University.

4. The determination of a reasonable accommodation shall be an interactive process involving the employee, Office of Human Resources/Payroll and relevant administrative personnel. The University may provide an alternative to the requested accommodation so long as it is effective in removing the workplace barrier(s) that impede(s) the employee with the disability. The employee may refuse an alternative reasonable accommodation, but such refusal may mean the individual may not be able to perform the essential functions of the job, which may require a fitness for duty evaluation under NDSU Policy 161: Fitness for Duty.

4.1 An applicant or an employee with a disability, as defined by law, who is dissatisfied with the response to his/her request for reasonable accommodation and wishes to appeal, may do so in writing to the Office of Human Resources/Payroll within ten working days of the response.

4.2 An Accommodation Review Board (ARB) will be assembled to review the appeal to the response. Following their review, they will make a recommendation to the NDSU ADA Coordinator. The final decision will be made by the NDSU ADA Coordinator and communicated to the employee and Human Resources in writing within ten working days of the receipt of the ARB's recommendation.

4.2.1 Members of the ARB shall include:
Director of Human Resources/Payroll or Designee
Director of (Student) Disability Services or Designee
Vice Provost for Faculty and Equity or Designee

HISTORY:

New	October 13, 1999
Amended	May 6, 2014
Housekeeping	June 29, 2015

Policy Change Cover Sheet

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SECTION: 190 Employee Responsibility and Activities: Intellectual Property

43. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☒ Yes ☐ No
    - Describe change: In November 2014, the State Board of Higher Education approved a significant revision to SBHE Policy 611.2 which forms the basis for this policy. In keeping with the current efforts to remove procedural elements from NDSU policy, the section on NDSU Patent Review Procedures was removed from the policy.

44. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted
    - Vice President for Research and Creative Activity, September 16, 2015
    - Email address of the person who should be contacted with revisions
    - *Jolynne.Tschetter@ndsu.edu*

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 190
EMPLOYEE RESPONSIBILITY AND ACTIVITIES: INTELLECTUAL PROPERTY

SOURCE: SBHE Policy Manual, Section 611.2

1. General Principles.

1.1. The North Dakota State Board of Higher Education ("Board") encourages and promotes research and scholarship based upon the traditional principles of the academic profession. Some creative endeavors, discoveries, advancements, and innovative approaches have the potential to be utilized outside of the North Dakota University System ("System"). Through this Intellectual Property Policy, the Board seeks to execute a synergistic model of education, research, outreach, service, and economic development to accomplish a greater good.

1.2. This Policy establishes guidelines to support faculty, staff, and students in identifying, protecting, and administering intellectual property ("IP"), and defines the rights and responsibilities of all involved. Each Institution shall adopt procedures implementing this Policy, a process for resolving disputes, and a process for informing faculty, staff, and students of their respective rights and responsibilities related to IP. Each Institution may adopt a separate statement of IP policies, provided that such statement does not conflict with this Policy.

1.3. The primary purposes of this Policy are to:

- Provide clear guidance for all involved in the creation, development, management, protection, and dissemination of discoveries and IP within the System and its Institutions.
- Provide for an effective and efficient process to achieve positive outcomes for creators, the System and its Institutions.
- Effectively manage all interests that may emerge in relation to discoveries that have commercial value or other desirable outcomes and provide guidance as to which of these interests or outcomes has priority.
- Place creative output into practical use for public benefit as quickly and as effectively as possible, and in a manner consistent with applicable laws and public policy.
- Facilitate the creation of appropriate public-private partnerships to support economic development.
- Encourage a broad array of mutually beneficial relationships with organizations outside of the System and its Institutions to enhance creative output, including collaborative research, licensing of IP, and the formation of companies specifically for the purpose of commercializing newly created IP.
- It is the expectation of the Board that all persons involved in the creation, development, management, protection, and dissemination of IP shall conduct themselves in accordance with the Core Values espoused in SBHE Policy 100.5 (II).

2. Definitions.

2.1. *"Breeder(s)" or "Plant Breeder(s)" as defined by the PVPA, 7 U.S.C. § 2401(a)(2). In regards to plant variety protection, a "Breeder" is the person(s) who directs the final breeding creating a variety and/or the person(s) who discovers and develops the variety. 7 U.S.C. § 2401 (a)(2).*

- *In regards to plant variety protection, "discover" means finding a natural plant which results in breeding a variety, or finding a new variety by performing experiments on results of cross-breeding and realizing that the resulting plant is different and closer in characteristics to a desired variety.*

- *In regards to plant variety protection, "develop" means to make additional selections for (a) cross-breeding and/or (b) developing pure lines. This may lead to the variety for which protection is sought or may eliminate variance and convert a non-uniform variety to a uniform variety using the desired characteristics.*

2.2. "Creator": A person who contributes in a significant manner to the development of IP on behalf of the System or one of its Institutions including “Breeder(s)” or “Plant Breeder(s)”.

2.3. "Institution": One of the individual colleges or universities of the North Dakota University System.

2.4. "Intellectual Property" or “IP”: Collectively, any form of property created by the mind including, but not limited to, Inventions, trade secrets, copyrights, trademarks, mask works, and any other tangible research result such as biological materials, engineering drawings, integrated circuit chips, computer databases, prototype devices, circuit diagrams, and equipment.

2.5. "Invention": A process, method, discovery, device, plant, composition of matter, know-how, or other discovery that reasonably appears to qualify for protection under United States patent law, whether or not actually patentable (including, but not limited to, utility patents, plant patents, design patents, certificates of Plant Variety Protection). This includes patent-eligible software that may also be copyrightable.

2.6. "Net Royalties": Gross revenues, including all royalties, licensing, and other fees generated as a direct result of IP, less the actual, out-of-pocket expenses incurred in procuring and maintaining protection, marketing (at the discretion of the System or one of its Institutions), licensing and enforcing rights in such IP.

2.7. "Significant Use of Resources": A Creator’s use of System or institutional facilities, equipment and/or employees’ time that appreciably increases the costs of the System or Institution beyond those normally incurred. Significant Use does not include the Creator’s own time (including developmental leave) or the normal use of facilities or equipment commonly available to faculty, staff, *students*, or the public, such as libraries, Internet access, office space, office equipment, computers, and/or office supplies.

3. General Patent *(IP)* Policy.

3.1. The Board strongly encourages the pursuit of formal protection and/or efforts to commercialize all IP as a method of bringing recognition and remuneration to Creators, the System, and Institutions.

3.2. Except as otherwise provided herein, and subject to restrictions arising from overriding obligations and/or institutional policies, Institutions shall have and hold title to all IP that is the result of any work, research, or investigation conducted by institutional employees in the course and scope of their employment. Upon employment and as otherwise necessary, all employees of an Institution shall be required to execute an appropriate written assignment of IP to the Institution. *Temporary*

employees may be required to sign as well based on supervisor discretion. A failure to have the Agreement signed in no way changes or lessens the applicability of this Policy. For purposes of this Policy, Creators employed by the System shall be deemed employees of (i) the Institution most closely connected to the development of specific IP in terms of facilities or resources utilized or, if none, (ii) the Institution to which the specific IP is first disclosed by at least one Creator or, if none, (iii) the Institution selected by the Chancellor or designee upon disclosure of specific IP to the System.

3.3. Each Institution's procedures shall act as a guide for determining, clarifying, and/or preserving ownership of IP, shall provide for the disclosure, review, and evaluation of IP, and shall at a minimum require:

- The Creator's timely, written disclosure of IP.
- The Creator's provision of all necessary declarations, assignments, or other documents as may be necessary.
- The Institution's review of the technical and/or commercial viability and, in the case of Inventions, patentability, of IP within a reasonable period of time.

3.4. If at any time an Institution decides not to pursue, or otherwise to discontinue its protection and commercialization of any IP, the Institution shall notify the Creator(s). In the absence of overriding obligations the Institution shall upon request of at least one Creator release its rights in such IP to the original assignor(s), subject to an obligation to reimburse the Institution for its actual out of pocket costs in the event of a commercial windfall. However, under no circumstance may the Creator(s) to whom rights are released use the name of the System or an Institution in connection with subsequent development, use, or marketing of the IP. Creators may request that IP rights be released, even in the absence of a prior decision by the Institution to discontinue protection. Institutions shall have the discretion to grant such a request provided that the Institution may require, as a condition of the release of IP rights, that the Creator(s) reimburse the Institution for its actual, out-of-pocket costs incurred in pursuing formal protection of the IP.

3.5. Subject to any overriding obligations, Creators, or the Creators' heirs, successors, or assigns, shall be entitled to a minimum of forty (40) percent of the Net Royalties received by the Institution in connection with the Creators' IP. Each Institution's procedures should allocate remaining Net Royalties to be utilized principally in support of research.

3.6. When there are two or more Creators, each Creator shall share equally in the Creator's share of Net Royalties unless all have agreed in writing to a different distribution of such share. The Institution will honor any agreement purporting to share rights and/or royalties between participating parties to the fullest extent permitted under any applicable law. In cases of joint development where Creators are employed at two or more institutions, the Institutions shall enter into an inter-institutional agreement.

4. General Copyright Policy

4.1. Each Institution's IP procedures shall provide for the disclosure, review, and evaluation of original works of authorship, and for the protection and commercialization of works in which copyright is owned by the Institution under this Policy. Copyrightable works that are also patent-eligible Inventions, such as software, shall be governed by the General IP Policy set forth in section 3.

4.2. An Institution shall own copyright in works prepared by its employees at the specific direction of the Institution.

4.3. An employee shall report such work in accordance with the General IP Policy set forth in section 3.

4.4. Net Royalties received by an Institution as a result of copyright ownership will be disbursed in accordance with the General IP Policy set forth in section 3.

4.5. Institution employees shall be entitled to own copyright in works that are prepared within the scope of employment but not at the specific direction of the Institution.

4.6. An Institution shall relinquish copyright ownership in any work that arises by operation of law and, if necessary, shall execute assignments conveying such copyright ownership to employees. As a condition of any such relinquishment or assignment, the Institution shall retain a perpetual, non-exclusive, worldwide and royalty-free license to use the work for teaching, educational, archival, and research purposes. This subsection shall not apply to companion works that enable, or are incidental to or necessary for the practice of, an Invention owned by the Institution under this Policy.

4.7. In the event an employee has made a Significant Use of Resources in the creation of a work governed by this subsection, an Institution may require the employee to reimburse the Institution for the value of such use.

4.8. Institution employees shall not use any work governed by this subsection, including textbooks and other course materials, either printed or electronic, in any manner that competes in a substantial way with the for-credit offerings of the Institution employer unless such use has received the approval of the chief academic officer of the Institution.

5. Trademark. Each Institution's IP procedures shall provide for the identification and protection of the trademarks and service marks of the Institution, provided that commercialization and licensing activities may be delegated by contract to one or more third parties.

6. Student IP.

6.1. An Institution may not require an assignment of IP rights from a student unless at least one of the following applies:

- The student received financial support from the Institution in the form of wages, salary, stipend, or grant funds for the research and/or activities that led to the development of the IP.
- The Institution is contractually obligated to require such assignment.
- The IP was developed with the Significant Use of Resources and the retention of such rights by the student would substantially impair a mission of the Institution.
- The IP was a companion work that enabled, or was incidental to or necessary for the practice of an Invention owned by the Institution under this Policy.
- The student expressly agreed to make such assignment.
- The IP comprises marks and/or logos used or intended to be used solely or primarily by the Institution in conjunction with the Institution's offering of goods or services, including but not limited to the Institution's department of athletics.

6.2. An Institution may not require a license in IP from a student unless at least one of the following applies.

- The IP comprises copyright in a thesis or dissertation.
- The IP arose from a multi-semester classroom project administered by an Institution employee, such as a senior design project, and the license is necessary for the Institution to continue administering the project.
- In the absence of such license, a mission of the Institution would be substantially impaired.
- The student has expressly agreed to grant such license.

6.3. In the event an assignment required by this section is made, the student making such assignment shall be treated as a Creator and shall be entitled to all of the rights and benefits of Creators under this Policy.

6.4. Licenses required by this section shall be non-exclusive, non-commercial, perpetual, and royalty-free, unless otherwise agreed to by the Institution so licensed.

6.5. Nothing in this section shall be construed to prevent a student from voluntarily entering into a relationship with an Institution concerning IP.

7. Other Provisions.

7.1. Foundations. An Institution may assign or transfer ownership rights in IP to a foundation defined in Board policy. Such assignment or transfer shall be in writing and signed by the president of the Institution or his or her designee. Institutions may require, as a condition of such assignment, periodic reporting as to the administration, marketing and commercialization of IP assigned pursuant to this subsection.

7.2. Employee Consulting/Developmental Leave. It is the responsibility of Institution employees to ensure that the terms of their consulting agreements with third-parties or the conditions of developmental leave do not conflict with this or any other Board or Institutional policy.

HISTORY:
New May 2005 (New policy to reflect SBHE policy 611.2, incorporates NDSU policies 340, 341 and 342)
Amended November 2010
Housekeeping December 2010

Policy Change Cover Sheet

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

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

SECTION: 304 Academic Staff and Executive/Administrative Positions – Procedures for Filling

46. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes removing references to the Vice President for Academic Affairs and Equity, Diversity and Global Outreach, and updating link for recruitment and hiring resources

47. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/5/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 304
ACADEMIC STAFF AND EXECUTIVE/ADMINISTRATIVE POSITIONS - PROCEDURES FOR FILLING

SOURCE: NDSU President

All academic staff (instructors; assistant, associate, or full professors; and lecturers) and other positions within the 2000 (academic) job family and executive/administrative positions (job family 0000) that qualify for fringe benefits must be filled according to the following procedures. Additionally, for equal opportunity/affirmative action purposes, this search, recruiting, and hiring process must be followed assuring equal opportunity and non-discrimination based on any status listed in NDSU Policy 100. See also, Section 103 for Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings which includes the process for spouse or partner hiring and the allowance of such a hiring without a search if appropriate and Section 103.1 on recruitment areas and methods.

1. The position must be posted online at https://jobs.ndsu.edu/. If changes occur in the recruitment plan, the department shall notify the Office of the Provost.

   The process to create and obtain approval for the position announcement as well as the posting of the announcement online and recruiting requirements are located at: http://www.ndsu.edu/fileadmin/diversity/Procedures_for_Filling_Non-Broadbanded_Positions_in_the_0000_and_2000_Job_Families.pdf

2. Prior to posting, the search committee chair must have received search chair training available through the Office of the Provost.

3. All applicants must apply via the online application system. Hard copy application materials will not be accepted.

4. For those positions that do NOT include teaching responsibilities or that are not a President, Vice President, or Provost position, the ND Veteran's Preference Law applies. This screening process must be followed in order to comply with state law. The following information regarding the recruitment and hiring process is available online:

   - NDSU Procedures for Recruitment/Selection of Nonbroadbanded Positions Subject to the ND Veteran's Preference Law
   - "Legal Watch" on the ND Veteran's Preference Law.

5. Additional information regarding recruitment/hiring resources for getting started, recruiting for a diverse applicant pool, screening/interviewing, interviewing guidelines for ADA compliance, and preparing an officer are available online at http://www.ndsu.edu/diversity/equity/recruitment_and_hiring/. Forms such as the Request to Offer, NDSU Hiring Form 100/102 and NDSU Change Form 101 are located at: http://www.ndsu.edu/forms.

6. The Request to Offer form must be completed in its entirety, and routed for required signatures with the following attachments:

- Interview Report Forms (An interview report form must be completed for each interviewee.);
- Screening Sheet;
- A list of the questions used in the formal interview;
- A list of questions asked of references;
- The names of references contacted; and
- For faculty and lecturer appointments, a draft of the proposed letter of offer based on the format proved by the Office of the Provost and Vice President for Academic Affairs.

7. A criminal background check authorization form must be completed by the candidate for new benefited hires. The completed form must be given to the Office of the Provost so a background check can be completed. No applicant may have a hire date prior to the background check being completed.

8. Upon approval of the request to offer and a completed background check, the candidate may be offered the position.

9. Once the offer has been accepted, the remaining applicants will be promptly notified of the action. The search file will be completed by the search committee, forwarded to and maintained at the Office of the Provost.

   NOTE: No Hiring form 100/102: Job Data or Change Form: 101 will be processed until search files have been completed and submitted to the appropriate location for retention of three years.

10. The Hiring Form 100/102 must have the following items attached when circulating forms for signatures:

    - A fully signed copy of the Request to Offer form
    - For faculty, lecturers and graduate teaching/research fellows, a copy of the letter of officer or appointment agreement.

11. A current employee being hired for a different position under a search requires the Change Form: 101 instead of the Hiring Form: 100/102. This form must also be routed for signatures and have the same attachments as required under section 6.

HISTORY:

New	July 1990
Amended	April 1992
Amended	May 1996
Amended	July 1997
Amended	November 1999
Amended	August 2002
Amended	December 2005
Housekeeping	May 2010
Amended	December 27, 2010
Housekeeping	January 10, 2011
Housekeeping	February 16, 2011
Housekeeping	October 26, 2011
Housekeeping	November 15, 2013

Policy Change Cover Sheet

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SECTION: 515 Travel – Employees

49. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☒ Yes ☐ No
    - Describe change: update per diem and lodging rates per US GSA effective 10/01/2015

50. This policy change was originated by (individual, office or committee/organization):
    - Accounting / Ricki Martin 9/15/15
    - Ricki.martin@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 515
TRAVEL - EMPLOYEES

SOURCE: NDSU President
North Dakota Century Code (NDCC)
North Dakota Office of Management and Budget Policy

1. GENERAL PROVISIONS

1.1 DEFINITION OF "TRAVEL" - *(NDSU Interpretation)*
For purposes of this policy, except for No. 2 below, the term "travel" means the absence from the city or community where a person normally works and/or maintains an office. For purposes of travel by staff members employed on the University campus their "community" shall include, Fargo, West Fargo, and Moorhead.

1.2 MEANS OF TRAVEL - *(NDSU Interpretation)*
Employees must choose the most prudent and economical means of travel, considering factors such as: travel expenses, time away from the office, and the needs of the University.

1.3 ACCOUNTING OFFICE RESPONSIBILITY - *(NDSU Interpretation)*
The NDSU Accounting Office is responsible for the initial development of NDSU's employee travel expense reimbursement policy, in addition to the final review and approval of individual employee travel expenses. Employees may be contacted by the Accounting Office for more documentation or a cost/benefit justification. The NDSU Accounting Office must apply the travel rules in this policy on a reasonable, fair and consistent basis.

1.4 TRAVEL VOUCHER REQUIREMENTS - (NDCC 54-06-09 (6))
Before an allowance for any such mileage or travel expenses may be made, the employee shall file with the employee's department an itemized statement showing the mileage traveled, the hour of departure and return, the days when and how traveled, the purpose thereof, and such other information and documentation as may be prescribed by rule of the employee's department, college, or division.

(NDCC 44-08-05.1)
Any employee who has the power to approve a voucher for a department shall determine, before approving such voucher, the following:

1.4.1 That the expenditure for travel or other expenditures were for lawful and official purposes.

1.4.2 If for travel expense, that the travel actually occurred and that the sums claimed for travel expenses are actually due the individual who is seeking reimbursement, allowance, or payment.

1.4.3 If the voucher is for expenditure other than travel expense, that the expenditure is lawful and that the voucher contains no false claims.

2. TRAVEL WITHIN THE CITY OF EMPLOYMENT
Employees may be reimbursed for expenses incurred within their "city or community" of employment for the following:

2.1 *(NDSU Interpretation)*
Parking fees for personal vehicles when conducting University functions or attending University meetings.

2.2 (OMB Policy 507)
Mileage at in-state rates for personal vehicles used to transport equipment or university guests for university functions.

2.2.1 (OMB Policy 507)
Mileage from a normal work station to a conference or meeting is reimbursable, if an employee actually reports to work prior to attendance at the meeting. However, mileage for travel from an employee's residence directly to the conference/meeting site is not reimbursable, since it is considered normal commuting travel.

2.3 *(NDSU Interpretation)*
Meals may be reimbursed as provided under NDSU Policy 170.

2.4 *(NDSU Interpretation)*
Transportation between the employee's residence and airport, which consists of taxi fare or mileage plus airport parking, whichever is less.

3. OUT-OF-STATE TRAVEL AUTHORIZATION - *(NDSU Interpretation)*
Employees must have each out-of-state trip pre-approved by their immediate supervisor. In addition, employees in a department, college, or division must have each out-of-state trip pre-approved by their Dean or Director. Deans and Directors who report directly to a Vice President or Provost must have their out-of-state trips pre-approved by their Vice President or Provost. Vice Presidents, Provost, and others reporting directly to the President, must have each out-of-state trip pre-approved by the President. Prior approval is to be obtained by using the Travel Authorization – Out-of-State form.

3.1 WORKERS COMPENSATION - *(NDSU Interpretation)*
In cases where employees are working out-of-state for 30 consecutive days, or for any international trip, the employee must notify the University Police and Safety Office to arrange proper Workers Compensation coverage.

3.2 FOREIGN TRAVEL AUTHORIZATION - *(NDSU Interpretation)*
Each trip to a foreign country must be approved by the appropriate Vice President or Provost or their designee.

4. PRIVATELY OWNED TRANSPORTATION - (NDCC 54-06-09)
An employee, when required to travel by motor vehicle or truck in the performance of official duty, should use a state-owned vehicle, whenever possible.

(OMB policy 511)
When an employee drives a state fleet vehicle, the State's liability coverage is primary should an accident occur. If an employee drives a personal vehicle on state business, the employee's personal insurance is primary. If an employee must drive a personal vehicle because no state fleet vehicles are available, then the State would have primary responsibility.

(NDCC 44-08-03)
Where more than one state employee travels in the same car while engaged upon official duty, whether belonging to different departments, subdivisions, boards, or commissions or not, no claim may be made for more than one mileage, such claim to be made by the owner or lessee of such car.

If an employee is allowed to use a personal vehicle, reimbursement will be made according to the rates below.

4.1 IN-STATE MILEAGE - (NDCC 54-06-09 (1a))
The sum of 56.0 cents (for travel prior to 01/01/2015) or 57.5 cents (for travel on or after 01/01/2015) per mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle.

4.2 (NDCC 54-06-09 (1a))
The sum of 86 cents per mile when such travel is by private airplane.

4.3 OUT-OF-STATE MILEAGE - (NDCC 54-06-09 (3))
If only one person engages in travel exceeding any geographic point 300 miles beyond the borders of this state, reimbursement shall be limited to eighteen cents per mile for the out-of-state portion of the travel beyond the first 300 miles.

(NDSU Interpretation)
When interpreting the law indicated in 4.3 above, it may be helpful to visualize that the state's border has expanded in all directions by 300 miles. When only one person travels outside the state of North Dakota and uses their own vehicle, their miles traveled within the 300 mile expanded border, the employee may be reimbursed at the 56.0 cents (for travel prior to 01/01/2015) or 57.5 cents (for travel on or after 01/01/2015) per mile rate. This includes both the departure and return parts of the trip.

When two or more state employees travel in the same vehicle, the per mile allowance is 56.0 cents (for travel prior to 01/01/2015) or 57.5 cents (for travel on or after 01/01/2015). State employees accompanying the vehicle owner must be listed on the travel voucher.

4.4 (NDCC 54-06-09 (5))
State employees permanently located outside the state or on assignments outside the state for an indefinite period of time, exceeding thirty consecutive days, will be allowed and paid 56.0 cents (for travel prior to 01/01/2015) or 57.5 cents (for travel on or after 01/01/2015) per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle, the 300 mile restriction, in 4.3 above, does not apply.

(NDSU Interpretation)
Mileage allowances are assumed to be total operating costs for vehicles. No additional amounts will be reimbursed to employees for personal items such as: traffic or parking tickets, vehicle repairs, or any other normal automobile expenses.

5. COMMERCIAL AIRLINES - (OMB Policy 510)
For travel on official state business, airline tickets may be either purchased through a travel agency and billed to the department, or purchased by the employee and reimbursed. In either case, the original itinerary should be used to support the travel agency payment or employee reimbursement.

Reimbursement to an employee *or tickets directly billed to a department* will be allowed for the actual cost of tourist or coach fare, purchased at the lowest reasonable rate available, except when approved by the President, or President's designee, unless not permitted by federal rules or regulations. Approvals must be filed in the President's Office. First Class or Business Class tickets should normally be through a frequent flyer upgrade or the employee should use frequent flyer miles earned via state travel. Invoices from third parties (like travel agencies) must identify if travel is First Class or Business Class.

5.1 *(NDSU Interpretation)*
If the ticket is paid by the employee in a month prior to the travel dates, with appropriate department approval, the employee may be reimbursed immediately after the ticket is paid using an accounts payable voucher.

5.2 *(NDSU Interpretation)*
Meal and lodging expenses will be limited to the days needed to complete the business trip. Meal and lodging expenses for additional travel necessary to get a discounted or reduced airline rate are reimbursable, if a cost savings can be documented.

6. MEAL REIMBURSEMENTS - (NDCC 44-08-04)
Reimbursement is allowed only for overnight travel or other travel, away from the normal place of employment, for four hours or more. Verification of expenses by receipt is required only for lodging expenses.

6.1 DEFINITION - QUARTERS - (NDCC44-08-04 (2)) *(NDSU Interpretation italicized)*
For purposes of employee meal and lodging reimbursements, state law defines the four quarters of a day as follows:

First quarter shall be from six (6) a.m. to twelve (12) noon. No reimbursement may be made if travel begins after seven (7) a.m.

Second quarter shall be from twelve (12) noon to six (6) p.m. *(No reimbursement will be made for this quarter if travel begins after one (1) p.m. or ends prior to twelve (12) noon.)*

Third quarter shall be from six (6) p.m. to twelve (12) midnight. *(No reimbursement will be made for this quarter if travel begins after seven (7) p.m. or ends prior to six (6) p.m.)*

Fourth quarter shall be from twelve (12) midnight to six (6) a.m. *(This quarter pertains to claiming lodging expense.)*

6.2 CONFERENCE, SEMINAR, OR OTHER MEETING - (NDCC 44-08-04 (1))
Claims may also be made for meals that are included as part of a registration fee for a conference, seminar, or other meeting and for meals attended at the request of and on behalf of the University; however, if a meal is included in a registration fee, the applicable quarter's meal allowance cannot be claimed for that meal.

6.3 TAXABLE MEALS - *(NDSU Interpretation of IRS regulations)*
Meal reimbursements that do not involve "overnight lodging" are reported as taxable gross income on the employee's W-2 and are subject to withholding and employment taxes. A lodging receipt is considered adequate proof of overnight lodging. Also, a notation on the travel voucher that the employee stayed overnight with a friend or relative is sufficient.

6.4 PAYMENT FOR MEALS OF STAFF & GUESTS, WHILE IN TRAVEL STATUS - *(NDSU Interpretation)*

NDSU Policy 170 allows reimbursement to employees for meals of staff and guests, even though the employee is not in travel status. Employees while in travel status may also occasionally encounter meal expenses when they are required to be at a meeting and there is a need to pay for meals of guests, such as when interviewing candidates, recruiting, or fund raising.

If an employee is at a required meeting and pays for meals of guests (while in travel status), the employee may be reimbursed for the actual receipt amount. If the employee meal is reimbursed at actual receipt amount on the travel voucher, he/she must not claim the applicable quarter's meal allowance.

When employees are reimbursed for the actual receipt amount for meals under this section, the expenses should be reflected under the "miscellaneous expense" column on the travel voucher. The purpose of the meeting and names of guests must be documented on either the travel voucher or an attached banquet and meeting documentation form.

6.5 TEAM TRAVEL - (Excerpt from NDCC 44-08-04, Subsection 1)

If a higher education athletic team or other organized institution organization group meal is attended at the request of and on behalf of the institution, actual expenses for the entire group, including coaches, trainers, and other employees, may be paid or submitted for payment of a team or group travel expense report: subsection 2 does no apply; and officers and employees are not required to document individual expenses or submit individual travel reimbursement vouchers.

(NDSU Interpretation)

Meal expenses of athletic department employees, when traveling with student athletes to games, are covered by travel advances issued from the Accounting Office. These meals are attended at the request of and on behalf of the University and, therefore, the meals are paid from the travel advance at the actual cost of the meals, in accordance with the Athletic department meal reimbursement guidelines for student athletes. Since the meals are paid out of the travel advance, it is not necessary for the employees involved in the team travel to complete a travel voucher to claim reimbursement for the meals.

As an alternative to actual meal costs, some head coaches may prefer to distribute a cash per diem to the employees and student athletes. The cash per diem is distributed from the travel advance for the individual to use for meals. The cash per diem for employees must not exceed the meal allowance allowed policy and must not exceed the Athletic department meal reimbursement guidelines for student athletes. Since the employee cash per diem is paid from a travel advance, it is not necessary for the employee to complete a travel voucher to claim reimbursement for the meals.

6.6 MEAL ALLOWANCE RATES - (NDCC 44-08-04 (2))

Meal reimbursement rates depend upon the time of day the employee is in travel status and whether the travel is in-state or out-of-state. Verification of receipts shall not be required for the first three quarters listed above in Section 6.1.

6.6.1 IN-STATE - (NDCC 44-08-04 (2))

For travel prior to August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	$ 30.00	$ 6.00	$ 9.00	$ 15.00

For travel on or after August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	$ 35.00	$ 7.00	$ 10.50	$ 17.50

6.6.2 OUT-OF-STATE, WITHIN CONTINENTAL U.S. - (NDCC 44-08-04 (3))

The allowance for out-of-state meals, within the continental United States, is equal to per diem meals rate in the city for which a claim is made on that day as established by the United States general services administration and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)
The standard meal allowance rate (per diem) for cities in the continental United States is currently $51.00 per day effective 10/01/2015. The North Dakota Office of Management and Budget (NDOMB) web site shows the official current out-of-state meal allowance rates that NDSU will follow. The NDOMB web site includes a listing of cities whose meal allowance rates are higher than the standard rate.

The table below (effective 10/01/2015) shows examples of how the meal allowance per diem is split between the first quarter or breakfast (20%), second quarter or lunch (30%), and third quarter (50%).

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
Out-of-State, within continental U.S. (depending on city) Standard Rate	$ 51.00	$ 10.20	$ 15.30	$ 25.50
(depending on city)	$ 54.00	$10.80	$ 16.20	$ 27.00
(depending on city)	$ 59.00	$11.80	$ 17.70	$ 29.50
(depending on city)	$ 64.00	$12.80	$ 19.20	$ 32.00
(depending on city)	$ 69.00	$ 13.80	$ 20.70	$ 34.50
(depending on city)	$ 74.00	$ 14.80	$ 22.20	$ 37.00

6.6.3 NON-CONTINENTAL UNITED STATES AND OVERSEAS NONFOREIGN AREAS - (NDCC 44-08-04 (4))

The allowance for meals in noncontinental United States and overseas nonforeign areas, including Alaska, Hawaii, and Guam, is equal to the per diem meals rate in the city for which a claim is made on that day as established by the rule for federal employees established by the United States per diem committee and must be

allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU interpretation)
The Accounting Office web site will have a link to the appropriate meal allowance for foreign travel.

6.6.4 FOREIGN TRAVEL - NDCC 44-08-04(5))
The allowance for meals outside the United States is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees established by the United States department of state and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)
The Accounting Office web site will have a link to the appropriate meal allowance for foreign travel.

7. LODGING REIMBURSEMENTS - (NDCC 44-08-04 (1)(2d)(6)) *(NDSU Interpretation italicized)*
Reimbursement for in-state lodging expenses incurred while in travel status during the fourth quarter shall not exceed 90% of the rate established by the United States General Services Administration (GSA) for North Dakota, plus applicable state or local taxes on lodging. As of October 1, 2013, the GSA rate for lodging in North Dakota was $83; therefore, the maximum amount that can be claimed is $74.70, plus applicable taxes. For travel on or after October 1, 2015, the GSA rate for lodging in North Dakota was $89; therefore, the maximum amount that can be claimed is $80.10, plus applicable taxes.

The GSA will update their rates periodically during the biennium and the allowable lodging reimbursement will also change at that time. See the city/county rate exceptions, found on the Accounting website. The amounts shown are 90% of the GSA rates and are the maximum state reimbursable rates that can be claimed, plus applicable state and local taxes. These rates are effective October 1, 2012.

Out-of-state lodging expenses shall be reimbursed at actual expense.

An original lodging receipt is required for reimbursement to the employee. *(When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost.)*

7.1 IN-STATE LODGING RATES OVER MAXIMUM - (SBHE 806.1.10)
In the unlikely situation an employee cannot find lodging at 90% of the GSA rate, the following process needs to be followed:

7.1.1 Prior-approval by campus designated approver must be obtained.

7.1.2 The request must document the name of the employee, name of city traveling to, dates of lodging, name and local phone number of the lodging facility, the rates quoted for the dates of travel or if there were no available rooms. A minimum of 3 facilities should be contacted. If traveling to a North Dakota community that does not have 3 lodging facilities, indicate on documentation.

7.1.3 This documentation must be attached to the travel reimbursement form.

7.1.4 Occasionally, additional documentation will be requested to ensure the most cost-effective rates possible were obtained.

7.1.5 *If a room is more than the 90% maximum GSA rate for North Dakota, allowed in section 7, above, the additional taxes eligible for reimbursement must be pro-rated. For example (using the $80.10 maximum rate): if the room is $90.00 and taxes are $13.50, the individual will be reimbursed $80.10 plus $12.02 pro-rated taxes ($80.10/90.00 x $13.50 = $12.02).*

7.2 DIRECT BILLING OF LODGING TO DEPARTMENT - *(NDSU Interpretation)*
Employee lodging must be first paid by the employee and then reimbursed using the travel voucher. An employee's lodging expense should not be paid directly by the department to the lodging facility.

EXCEPTIONS - (NDSU Interpretation)

7.2.1 State law (NDCC 44-08-04.5) allows a state agency or institution to pay an out-of-state lodging provider directly when the North Dakota Office of Management and Budget has obtained a sales tax exemption from the destination state.

(NDSU Interpretation)
(At this time, OMB does not have an agreement with any other state. State agencies will be notified when such agreements have been obtained.) The state law exception does not apply to in-state lodging.

7.2.2 *(NDSU Interpretation)*
A lodging facility may be paid directly by the department if the travel involves a student field trip or athletic team travel.

7.3 REQUIRED DEPOSITS - *(NDSU Interpretation of OMB Policy 513)*
If a lodging facility requires a paid deposit to hold a room in advance, it should be paid by the employee. If the deposit is paid by the employee in a month prior to the travel dates, the employee may be reimbursed immediately after the deposit is paid using a Request for Payment form. The employee will need to verify that the deposit was properly credited to the lodging bill when the travel takes place.

7.4 ROOM SHARING - *(NDSU Interpretation)*
When two or more state employees share lodging accommodations, each employee should normally claim his/her own reimbursement. In instances where one employee pays the total lodging costs, he/she may claim reimbursement for the same by listing the other employee(s) sharing the lodging accommodation.

(OMB Policy 513)
When a state employee is accompanied by an individual not eligible for reimbursement (a spouse or traveling companion), the state employee must have the lodging establishment clearly certify the room rate for a single person and only that amount may be claimed.

8. MISCELLANEOUS TRAVEL EXPENSES - *(NDSU Interpretation)*
Reimbursement may also be requested for such necessary miscellaneous travel expenses as registration fees, car rental, taxi fares, toll fees, business telephone calls, parking fees and up to $5.00 per day for personal telephone calls while in travel status. All miscellaneous travel expenses claimed on the travel voucher must be individually identified and explained. Receipts are required for all individual miscellaneous travel expenses exceeding $10.00.

8.1 ENTERTAINMENT & PERSONAL EXPENSES - *(NDSU Interpretation)*
Employee entertainment or other personal expenses are not reimbursable. Expenses claimed by an employee that appear to fall in this category, will need additional justification to support claiming them as necessary business expenses.

8.2 CAR RENTAL - (OMB Policy 518)

8.2.1 The university will reimburse an employee for car rental if the employee used an aircraft to get to their destination, and if the use of the vehicle is sufficient to justify that mode of travel instead of a taxi. It is generally the policy to discourage car rentals unless their cost effectiveness is self-evident.

8.2.2 When renting a car for university business, purchase of additional insurance is not necessary because it is covered by the State's Risk Management Fund. However, the North Dakota Risk Management Division does recommend purchasing the liability insurance if renting outside the United States. Also, when out of the country, it is advisable to purchase the loss damage waiver as well. Employees should consider what coverages the employee's personal auto insurance provides.

8.3 TIPS AND OTHER CHARGES - *(NDSU Interpretation)*
Reasonable tips, not to exceed $5.00 per tip, and service charges that are a necessary part of the business trip are reimbursable. Examples include: tips to bellhops and taxicab drivers. No reimbursement is allowed for tips on meals that are covered by the meal allowance.

8.4 LOST RECEIPTS - *(NDSU Interpretation)*
When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost. Credit card receipts are not sufficient.

9. TRAVEL ADVANCES - (NDCC 44-08-04.2)
The Accounting office may approve a travel advance to employees for payment of meal and lodging expenses incurred while the employee is traveling on official business of this state, provided that such travel is planned to be in excess of five days per month, and provided that the funds advanced do not exceed eighty percent of the estimated expenses for the period.

NDSU LIMITATIONS - (NDSU interpretation)
Funds advanced for meals and lodging must be accounted for as required by this Policy. Travel advances may not be made from state appropriated funds. A travel advance form is available to request an advance. The Accounting Office will generally limit travel advances to the following two situations:

9.1 When an employee is chaperoning a group of students or other guests and is expected to pay some of the student's or guest's expenses.

9.2 When an employee is going on a trip for an extended period of time, such as more than one month. Usually these are international trips funded by a special grant.

HISTORY:

New	July 20, 2000
Amended	July 2001
Amended	June 2003
Amended	October 2003
Amended	August 2005
Amended	February 2006
Amended	October 2007
Amended	January 2008
Amended	July 17, 2009
Housekeeping	October 6, 2009
Housekeeping	February 2010
Amended	July 2010
Housekeeping	September 2010
Housekeeping	January 5, 2011
Housekeeping	June 15, 2011
Housekeeping	August 18, 2011
Housekeeping	January 27, 2012
Housekeeping	April 23, 2012
Housekeeping	October 10, 2012
Housekeeping	January 10, 2013
Housekeeping	July 30, 2013
Housekeeping	September 18, 2013
Housekeeping	December 31, 2013
Housekeeping	March 3, 2014
Housekeeping	December 31, 2014
Housekeeping	April 29, 2015
Amended	June 22, 2015

Policy *601* Version 1 *10/05/15*

Policy Change Cover Sheet

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

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

SECTION: 601 Rights and Responsibilities of Community: A Code of Student Conduct

52. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes as follows:
        - Replacing Vice President for Equity, Diversity and Global oOtreach with Vice Provost for Faculty and Equity
        - Replacing reference to general counsel with NDSU's designated legal advisor
        - Updating the location of the Parking Office from Thorson to its new location at 1801 15th Ave. N
        - Inserted a missing word in the last sentence in section 3.44 (should read please "see" NDSU Policy 603)

53. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/5/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Rights and Responsibilities of Community:
A Code of Student Conduct
Updated September 2015

I. Introduction

1.1 General NDSU Values

NDSU students have an opportunity to gain the most from their education when every member of the NDSU community takes responsibility to observe and help maintain a code of personal conduct that contributes to the educational effectiveness of the university. The Code of Student Conduct is derived from three core values that support an educationally purposeful environment:

- Respect for the NDSU Community;
- Respect for the Protection and Rights of Others; and
- Respect for individuals in the Conduct Resolution Process.

The intent of this code is to foster educational development of personal accountability and commitment to the community.

Respect for the NDSU Community

All NDSU stakeholders have a responsibility to respect the NDSU community. It is vital for all individuals to conduct themselves in a manner that does not negatively affect the educational mission of the university or the welfare of themselves or others. This includes promoting an environment conducive to learning and nurturing a sense of shared and mutual community responsibility. Community responsibility also involves awareness of how personal decisions affect others.

Respect for the Protection and Rights of Others

A community respecting the protection and rights of others is necessary to provide a positive and enriching educational environment. Conduct that inhibits the educational process is of concern, whether it occurs on or off university premises.

Respect for Individuals in the Conduct Resolution Process

All NDSU students have identified rights within the Code of Student Conduct and as afforded by due process. The university will work with students in an educational and fair manner to assist them in reflecting upon and growing from their personal experiences.

1.2 General Complaint Procedures

Students may report concerns, issues and complaints through the Problems and Complaints procedure available at www.ndsu.edu/vpsa/forms_and_guidelines/. The procedure is designed to provide for orderly collection of information, to address students' complaints in a timely manner by appropriate university personnel, and to help students learn effective conflict resolution skills.

Students also may arrange a meeting with a staff member in the Dean of Student Life Office, Memorial Union 250, for advice and direction in resolving the problem. Complaints regarding student conduct covered in this code will be resolved according to procedures described in this document.

1.3 Code Authority

The president of NDSU is charged with the responsibility for development and administration of institutional policies and rules governing the role of students and their conduct. The president also has the responsibility of establishing guidelines for students that set forth conduct standards and provide for appropriate procedures and sanctions for violation of those standards, consistent with procedural fairness (North Dakota State Board of Higher Education Policy Manual, 305.1). The president has delegated student conduct responsibilities to the vice president for student affairs. The vice president has assigned the dean of student life to carry out these functions.

A Code of Student Conduct contains statements of university policies relevant to student life. Development and enforcement of these standards of conduct are an educational endeavor designed to foster students' personal, social and ethical development. This document forms the basis for student conduct expectations as a member of the NDSU community. The enforcement of these standards serves to promote the protection of the rights, responsibilities, and health and safety of members of the NDSU community.

The dean of student life developed the content of this code with input from a committee of individuals that included various members of the Division of Student Affairs and student, faculty and staff representatives, in consultation with the vice president for student affairs and NDSU's designated legal advisor.

Contents of the code may be subject to change prior to the reprinting of this document. If changes are made, documents relating to the changes will be available from the Office of the Vice President for Student Affairs or the Dean of Student Life Office, printed in the Spectrum or other appropriate university publications, and/or communicated to students through official university electronic media. These changes will be included in future code revisions. An attempt also has been made to reference local, state or federal laws that complement university policies.

Conduct described in this code is illustrative rather than exhaustive. In the event there arises some ambiguity, inconsistency or need for clarification of these statements, the definition, interpretation or clarification will be determined at the discretion of the dean of student life, from whom any student, staff or faculty member may request written clarification. Final authority for interpretation of this code lies with the vice president for student affairs.

Questions should be referred to the Dean of Student Life Office, 250 Memorial Union.

II. Community Expectations

2.1 General Student Responsibilities

All students are expected to observe the university standards published in this code and those outlined in any other university policies, procedures, contracts or license contracts published elsewhere. In addition, students are expected to observe the laws of the community, the state, the nation and relevant jurisdictions when touring and/or studying abroad.

2.2 Persons Covered Under This Code

For the purpose of this document, "student" is defined as any individual who has been admitted to the university, was previously enrolled in the university, and/or uses university resources for purposes related to the university's educational mission, including, but not limited to, performing research and taking classes. Visitors attending an on-campus event also may be covered under this code. Students no longer enrolled in the university may be held accountable under this code for those violations committed after they were admitted and before they left the university. Student organizations are held to the same conduct standards that apply to individual students.

2.3 Official University Communication

NDSU will use the student's email address as provided by the university. This address is considered the official form of communication for all purposes (see NDSU Policy 609). It is the student's responsibility to maintain the accuracy of all personal data. It is required that students continue to monitor the university provided email account at all times.

2.4 Prohibited Conduct Not on University Property

The university may discipline a student for acts of prohibited conduct committed outside of university property which, in the university's discretion, may adversely affect the university community and/or the pursuit of its objectives. When NDSU becomes aware of alleged code violations through law enforcement or other third party reports, the university may pursue charges under this code against all NDSU students identified on such reports.

2.5 Tri-College Policies

NDSU students who are charged with a violation of institutional policy at Concordia College or Minnesota State University Moorhead will be referred to NDSU and may be subject to action under this code.

2.6 Multiple Accountabilities

Because of the varying roles/relationships/responsibilities students may have within and outside of the university, a student may be held accountable for prohibited conduct under other university, local, state or federal policies/laws/jurisdictions, including relevant jurisdictions when touring and/or studying abroad. Examples of other areas of accountability may include:

- Student athletes under the Student Athletic Code
- Student leaders within student organizations
- Personnel actions with student employees
- Academic actions under academic programs' professional standards
- Criminal charges or civil suits

Actions under this code are educational (administrative) as are other actions taken under NDSU policies. Because the university's procedures are educational and not criminal in nature, such separate proceedings do not constitute double/triple jeopardy. The university may proceed under this code before, during or after the other NDSU administrative processes, or legal proceedings, and does not typically wait for a court finding. Findings under this code may differ from judgments in criminal courts.

2.7 Financial Responsibility

All students must pay in full any debts to NDSU. For the complete text of the NDSU Collection Policy, please consult the Customer Account Services

staff or https://www.ndsu.edu/fileadmin/policy/513.pdf

NDSU bears no responsibility for financial obligations of individual students or student organizations. Any debts incurred, either on or off campus, by students or student groups will be the responsibility of the individual, organization and its leadership. In the event an organization dissolves and is no longer in existence, individuals holding leadership positions at the time the debt was incurred will maintain responsibility for settling outstanding debts.

NDSU will normally take no action on behalf of creditors in the case of debts incurred by students, student organizations or other student groups. NDSU officials will not use the power of the state to act as a collection agency for private debts of students.

2.8 Attempts
Individuals who attempt to commit acts prohibited by the Code of Student Conduct may be charged, found responsible and sanctioned to the same extent as if they had committed the prohibited acts.

2.9 Bias-Motivated Violations
Any code violation that is determined to have been motivated by hate based on age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran may result in enhanced sanctions above those typically assigned for the same violations when not motivated by hate. North Dakota State University does not discriminate on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran. See NDSU Policy 100 for further information.

2.10 Repeated Code Violations
Repeated violations of this code are relevant in determining a student's continued membership in the university community. Progressively more severe sanctions, including suspension or expulsion from the university, may be assigned, depending on the nature of the violation(s).

2.11 Designees
Administrators identified in this document may designate one or more individuals to act on their behalf.

III. Prohibited Conduct

3.1 Violations of Law
The university reserves the right to address any conduct occurring on or off campus that may be construed as potential or alleged violations of local, state or federal laws.

3.2 Complicity in Prohibited Acts
Complicity is association with and/or participation in an act prohibited by this code. To avoid being complicit to code violations, students are expected to do one or more of the following:
a) Personally confront those involved and stop the violation, except in cases of violence;
b) Bring the violation to the awareness of a staff member; or
c) Leave the scene of the violation, if not responsible for the space in which the violation is occurring.
Complicit students may be sanctioned to the same extent as if they had committed the prohibited act. Students are accountable for their guests' conduct and may be sanctioned under this provision as if they had committed the violations themselves.

3.3 Alcohol on NDSU Property
Regardless of a person's age, the manufacture, sale, transfer, purchase, transportation, possession, use or consumption of alcohol, and/or possession or display of empty alcohol beverage containers anywhere on NDSU owned or controlled property and/or sponsored or supervised events is prohibited, except as authorized by NDSU Policy 155, Alcohol and Other Drugs: Unlawful and Unauthorized Use By Students and Employees.

3.4 Off Campus Alcohol
Students may face campus charges for alcohol related incidents occurring off campus. Such incidents include, but are not limited to: minor in possession/consumption/under the influence of alcohol, driving under the influence of alcohol, and public consumption of alcohol.

3.5 Drugs Other Than Alcohol
Possession, consumption, being under the influence, or transport of illegal drugs or any other controlled substances is prohibited except pursuant to a physician's, dentist's or other authorized medical personnel's prescriptions. The manufacture, exchange, distribution, purchase or sale of illegal drugs or controlled substances is prohibited. The possession of drug paraphernalia for illegal drug use is prohibited as well.

3.6 Conduct While Under the Influence of Alcohol or Other Drugs

Being under the influence of alcohol or other drugs is a violation of this code when the person:
a) Endangers, or may endanger, the safety of others, property or themselves; or
b) Causes a disturbance.

3.7 Alcohol at Student Organization Events

Recognized NDSU student organizations planning off campus events at a venue where alcohol may be present must complete and submit an Event Risk Management Planning Notification Form and a guest list to the Student Activities Office, Memorial Union 120. Events involving alcohol must be closed events, intended only for organization membership and invited guests, and alcohol must be sold and served by a licensed third party vendor.

Student organization or public funds may not be used for the purchase of alcoholic beverages or gift cards to alcohol establishments.

Sale of alcoholic beverages by students and student organizations is prohibited. This includes any action that can be remotely construed as an alcohol sale, such as charging admission to parties, passing the hat, selling empty cups and selling drink tickets. Alcohol, if available, must be sold and served by licensed third party vendors.

Common sources or a bulk quantity of alcohol, such as cases or kegs, are not permitted at any student organization sponsored event.

No activities or promotions shall encourage excessive and/or rapid consumption of alcoholic beverages. This includes contests, drinking games and discounts or special pricing of alcoholic beverages. Use of alcohol at events is expected to be lawful and responsible.

Alcoholic beverages may not be used as awards or prizes in connection with events or activities. Prize coupons and/or gift cards donated by establishments with a liquor license must include the statement, "Not valid for purchase of alcohol."

3.8 Advertising Related to Alcohol

Alcohol promotional activities, including advertising, shall not be associated with otherwise existing campus events, programs or campus organizational functions on or off campus. This includes novelty items, giveaways, and apparel associated with the event. Advertising of establishments that sell alcohol must adhere to the following guidelines.

- Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse or promote alcohol specials such as two for ones, happy hour drink specials or any ads that encourage rapid and extensive consumption of alcohol.
- Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.
- Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with performance of tasks that require skilled reactions such as operation of motor vehicles or athletic performance.
- Advertising of establishments that sell alcohol shall include a statement of low-risk such as "know when to say when" or "please use our products legally and in a responsible manner."

For additional policy details, consult Policy 155, Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees, and the Event Risk Management guidelines, available in the Student Activities Office, Memorial Union 120.

3.9 Good Samaritan Responsibilities

All students are expected to protect the well-being of fellow students and others wherever events occur. If a person needs emergency medical attention, particularly resulting from the use of alcohol or other drugs, students are expected to call an ambulance or other appropriate emergency response personnel (ambulance, police, fire, etc.) to gain that assistance. Students/student organizations who fail to respond appropriately may be subject to serious university sanctions and may potentially be subject to additional civil and/or criminal liability.

Students who appropriately report will not be subject to the Student Conduct process for charges related to alcohol or drug use, nor will the incident become part of the student's conduct record. However, all students [including the student(s) needing assistance and reporter(s)] may be required to have an educational meeting with university personnel. This protection may not apply if other conduct violations occurred within the same incident. This protection will only apply once in a two year period. Subsequent incidents will not be eligible for protection under this policy.

3.10 Smoking

Smoking, including the use of electronic cigarettes, is prohibited on the North Dakota State University grounds and in university buildings, residence halls, apartments and enclosed structures. (www.ndsu.edu/fileadmin/policy/153.pdf)

3.11 Animals

With the exception of animals authorized by NDSU Disability Services or those defined as service animals under the Americans with Disability Act (ADA), privately owned animals are prohibited inside campus buildings, with the exception of fish. Animals in outdoor areas must be on a leash, must be under control of the owners or their designees at all times and should not be left unattended. Owners are responsible for any health or safety issues that may arise concerning the presence of these animals on university properties and at NDSU outdoor sponsored or supervised events. Questions may be directed to the facilities management director, Thorson Maintenance Center, 701-231-7911. See NDSU Policy Manual 100.2 for further information.

3.12 Intellectual Property Infringement

Infringement of any intellectual property without authorization is prohibited. When reproducing or distributing information, users are responsible for observation of copyrights and other intellectual property rights of others and all state and federal laws, institutional and North Dakota University System (NDUS) policies. Generally, materials owned by others cannot be used without the owner's permission. NDSU assumes no obligation to monitor users for infringing activities, but will, when such activities are called to the appropriate official's attention, investigate to determine if there is likely infringement and take appropriate action. For more information, go to Information Technology Services, www.ndsu.edu/its/intellectual-property-copyright, and NDSU Policy 190, Employee Responsibility and Activities: Intellectual Property, www.ndsu.edu/fileadmin/policy/190.pdf .

3.13 Use of NDSU's Name or Trademarks

Use of NDSU's name without prior authorization is prohibited. For additional information and guidance, please see NDSU Policy Manual 700.1, Use of University Name.

3.14 Sale of Class Lecture Notes/Materials

Students are prohibited from transferring their class lecture notes or instructor provided materials for commercial purposes unless approved by the course instructor. In addition to copyright issues raised by such practices, commercial sales or transfers may interfere with the educational purposes of the instruction and potentially inhibit free discussion of ideas central to the academic purposes of instruction at NDSU. Note: This policy does not prevent note taking provided as part of an ADA accommodation.

3.15 Misuse of Proprietary Information

Unauthorized use or misuse of proprietary information, in whatever form, is prohibited. "Proprietary" means property in which the university or its employees and/or students have a legal interest or responsibility to maintain confidentiality (see NDSU Policy 343, Confidential Proprietary Information).

3.16 Computer Related Conduct

Please see NDSU Policy Manual Section 158: Acceptable Use of Electronic Communications Devices: www.ndsu.edu/fileadmin/policy/158.pdf and the State Board of Higher Education (SBHE) Policy Manual Section 1901.2, Computing Facilities: www.ndus.edu/makers/procedures/default.asp?PID=301&SID=62. If additional questions remain, contact the Information Technology Services Help Desk in Quentin Burdick Building or online at http://its.ndsu.edu.

Following are common violations found in the two policies noted above. For a complete listing, please view both documents above.

- Unauthorized use, sharing, lending or borrowing of an account;
- Using computer services or facilities for purposes other than those for which the account was issued;
- Using university network resources and services to play or store game programs;
- Using the university's computer system for commercial purposes without written authorization of the Information Technology Security Officer;
- Copying, altering or destroying the files or output of another individual without the express permission of that individual;
- Altering system software or hardware configurations, or disrupting or interfering with the delivery or administration of computer resources;
- Misrepresenting oneself as another individual or entity in electronic communication;
- Using the university's network system to download copyright protected media including, but not limited to, books, music, movies, television programs, games and software without proof of purchase or permission;
- Exceeding university bandwidth limits;
- Sharing or distributing copyright protected media;
- Abusing or misusing the computer facilities so as to cause damage, program disturbances or harassment to other persons;
- Using the university's network system to enter obscene material into university-owned computers or send obscene material through the Internet or any other electronic system; and/or
- Any other violation of university or NDUS policies governing electronic communications, as referenced above.

3.17 Deception/Falsification/Misrepresentation

Withholding or providing false information is prohibited. This includes but is not limited to:

- Falsely representing an entity and/or committing or using the resources of an entity without proper authorization;
- Knowingly, intentionally or recklessly making false accusations of prohibited conduct against another individual;
- Providing false information or falsified evidence with the intent of harming another person; and/or
- Attempting to intimidate witnesses and/or altering or destroying evidence necessary to conflict resolution.

3.18 Financial Aid Misuse
Misuse of financial aid through fraud or abuse is prohibited.

3.19 Disruption of University Business
Disruption or obstruction of university business, facilities, and grounds, such that the function or service is materially or substantially disrupted or obstructed, is prohibited. University business includes (but is not limited to): teaching, research, administration, public service functions, meetings of university committees or boards, or any other authorized university activity or organization on or off university premises.

3.20 Failure to Comply
Failure to comply with the instructions or directions of all university and/or emergency personnel in the performance of their duties is prohibited. Such acts may include, but are not limited to, recklessly obstructing or delaying any university proceedings, providing misleading or false information during an investigation, resisting or fleeing a police officer, failing to comply with assigned university conduct sanctions, or engaging in verbal and/or physical abuse directed toward any university personnel.

3.21 Identification
Students are expected to carry university identification at all times. Failure to produce a university identification card upon request by any university personnel in the performance of their duties is prohibited. Guests are expected to carry valid identification.

3.22 Bribery
Offering, giving, receiving or soliciting anything of value to influence the official decision or action of university personnel, or a person in a position of trust or influence, is prohibited.

Bribing others to fulfill or otherwise attempt to evade academic responsibilities, such as homework, papers, and exams, is prohibited.

3.23 Arson
Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another is prohibited.

3.24 Burglary
The unlawful entry into a building or another structure with the intent to commit a felony or theft is prohibited. This includes, but is not limited to, unlawful entry with intent to commit a larceny or felony, housebreaking and safecracking. Attempts to commit the aforementioned also would constitute a violation of this policy.

3.25 Robbery
The taking of, or attempting to take, anything of value under confrontational circumstances from the control, custody or care of a person or persons by force or threat of force or violence or by putting the victim in fear is prohibited.

3.26 Motor Vehicle Theft
The theft or attempted theft of a motor vehicle is prohibited. This includes, but is not limited to, persons having unlawful access even though the vehicle is later abandoned, such as joyriding.

3.27 Theft of Property
Theft or removal of property belonging to the university or another individual is prohibited. This includes, but is not limited to, furniture, artwork, plants, electronics, books, window screens and signs.

3.28 Theft of Services
Using university services to which one is not entitled is prohibited. This includes, but is not limited to, using campus laundry services intended only for campus residents, using parking services not purchased, using parking lots other than those assigned by campus personnel, and unauthorized use of university printing services.

3.29 Possession of Stolen Property
Possession of goods that one knows or that any reasonable person would realize were stolen; also, to receive, retain, conceal, or dispose of property knowing that it was stolen. If it can reasonably be demonstrated that the receiver was unknowing, the property should be returned to its owner with

no action taken against the receiver.

3.30 Vandalism
The willful destruction or defacement of property belonging to the university or another individual is prohibited. This includes, but is not limited to, writing on or tearing down bulletin boards, spray painting or unauthorized chalking of buildings or sidewalks, and intentionally breaking or damaging property.

3.31 Trespassing
Entering and/or remaining in or on property to which a person does not have a legitimate right or purpose to enter or remain. Such property may include but is not limited to vehicles, apartments, houses, fenced yards, and/or other buildings or portions of buildings, such as roofs. Properties need not be specifically posted with No Trespass signs.

3.32 Unauthorized Sales or Solicitations
Unauthorized sales or solicitations in residence halls, university apartments, or in any other campus buildings are prohibited at any time. For questions regarding sales in the Memorial Union, see the Memorial Union director, Room 246. For questions regarding sales in residence life facilities, see the associate director of Residence Life, West Bison Court. For questions concerning sales in any other areas, begin the inquiry at the Dean of Student Life Office, Memorial Union, Room 250.

3.33 Traffic Safety and Parking Enforcement
University traffic and parking regulations are published in a separate pamphlet titled "NDSU Parking Regulations" which may be obtained from the NDSU Parking Office, 1801 15th Avenue North, or online at https://www.ndsu.edu/parking/parkingregulations/. Following are common violations described in the NDSU Parking Regulations brochure:

- Improper operation of motor vehicles on campus including, but not limited to, driving on sidewalks or grass
- Failure to cooperate with the lawful direction of traffic enforcement personnel in the performance of their duties
- Failure to report an accident that occurs on the NDSU campus, or involves an NDSU official vehicle, in the manner and time limit required by law or by university regulations
- Failure of persons in motorized vehicles or on bicycles, skateboards, roller blades and/or scooters to yield the right of way to pedestrians or abide by any traffic laws
- Falsifying registration information, reproducing, defacing, forging, altering, obscuring or transferring a permit is prohibited. Retaining and using a found permit also is prohibited. Parking permit theft may be processed under this code in place of or in addition to filing of criminal charges for theft of services. Upon completion of investigations by university police and the NDSU Parking Office, sanctions and/or fines may be administered. Only the NDSU Parking Office is authorized to re-sell permits.

3.34 Unauthorized Entry/Use of Facilities
- Unauthorized entry onto the property of the university or into a university facility or any portion thereof that has been reserved, restricted in use or placed off limits; unauthorized presence in any university facility after closing hours; and unauthorized possession or use of a key/access card to any university facility are prohibited. Unauthorized activities shall include, but are not limited to, entry, use or occupancy to which students are not permitted by virtue of enrollment, employment, class schedule, and/or gender in facilities restricted by gender. University areas that are restricted include, but are not limited to, all building roofs, fire escapes, steam tunnels, elevator shafts, equipment and mechanical storage rooms and construction sites. The use of fire escapes is strictly limited to emergency purposes.
- Duplication, manufacture, possession, or loaning of any key/access card or unlocking device for use on university facilities, locks or other property on university premises without proper authorization are prohibited.

Entrance doors for on-campus housing facilities are locked 24-hours a day. Guests must meet their resident-host at the entrance door to gain entry into the building. A resident must escort non-residents at all times.

3.35 Intimidation
Conduct in any form that involves an expressed or implied threat to interfere or that has the purpose or reasonably foreseeable effect of interfering with an individual's personal safety, safety of property, academic efforts, employment or participation in university sponsored activities, and causes the person to have a reasonable apprehension that such harm is about to occur, is prohibited.

3.36 Physical Assault
Physical assault of another person is prohibited and includes, but is not limited to:
- Use of physical force, violence, intoxicants or other substances to restrict the freedom of action or movement of another person, and/or endangers the health or safety of another person;
- Unwanted physical touching by one person upon another, with or without use/threatening display of a weapon, and regardless if obvious or aggravated bodily injury is sustained.

3.37 Instigation/Provocation
The face-to-face use of personally abusive epithets that, when addressed to any person, are inherently likely to provoke immediate violent reaction whether or not the reaction occurs.

3.38 Disorderly Conduct
Disorderly conduct is behavior that intentionally or recklessly creates a risk of public inconvenience, annoyance or alarm without proper authority. These behaviors are prohibited and include, but are not limited to, fighting, engaging in violent behavior, making unreasonable noise, obstructing vehicular or pedestrian traffic, disturbing a lawful assembly, and streaking.

Students may also be charged with Disorderly Conduct for participating in or hosting noisy or loud parties or other public disturbances on or off campus. Loud parties consist of two or more individuals whose conduct leads to noise complaints.

3.39 Discrimination, Harassment and Retaliation
North Dakota State University is fully committed to equal opportunity in educational programs/activities and employment decisions for all individuals. Any discriminatory (different or unequal treatment) or harassing actions(s) (unwelcome behavior that has the intent or effect of unreasonably interfering with the individual's academic or employment endeavors or creating a hostile, intimidating or offensive environment) taken against another based on age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran is prohibited. Any attempt to retaliate because of one's participation in a protected act (anyone who, in good faith, alleges discrimination, harassment or sexual harassment or who provides information related to an equal opportunity grievance) is also prohibited. See NDSU Policy 100 Equal Opportunity and Non-Discrimination (www.ndsu.edu/fileadmin/policy/100.pdf) and NDSU Policy 163 Anti-Harassment (www.ndsu.edu/fileadmin/policy/163.pdf).

3.40 Sexual Harassment
See NDSU Policy 603 – Sexual Misconduct and Title IX Compliance.

Individuals concerned about equal opportunity violations should request assistance from the university's vice provost for faculty and equity, NDSU's designated legal advisor, Counseling Center, Disability Services Office, or an appropriate administrator/office. In addition, the university's equal opportunity grievance procedure is available for any person(s) wanting to file a complaint alleging discrimination, harassment, sexual harassment or retaliation.

See related policy, "Consensual Relationships" (www.ndsu.edu/fileadmin/policy/162_1.pdf), Section 162.1 of the NDSU Policy Manual. Consensual relationships are defined as those romantic or sexual relationships in which both parties appear to have consented, but where there is a definite power differential within the University between the two parties. The actual or perceived imbalance of power that exists in a relationship when one of the parties in the relationship is an instructor or supervisor (including graduate assistants) and the other is a student or supervisee. Where a power differential exists, the instructor (including graduate students) or supervisor must report the matter, as soon as possible, to his/her immediate supervisor so appropriate steps may be taken. Accordingly, suitable arrangements will be made for the objective evaluation of the student's, employee's, or prospective employee's academic or job performance and for the protection of individual and University interests. A copy of this policy may be requested from the Dean of Student Life Office, Memorial Union 250.

3.41 Other Acts of Harassment
Any action or any series of actions that interfere with individuals' academic efforts, employment, personal safety or participation in university sponsored co-curricular activities is prohibited.

3.42 Stalking
Stalking is prohibited. Stalking is a pattern of repeated and unwanted attention, harassment, contact or any other course of conduct that would cause a reasonable person to feel fear for safety to self or the safety of others; or suffer substantial emotional distress.

3.43 Lewd or Obscene Conduct
Lewd or obscene behavior that flagrantly flaunts community standards with respect to sexuality is prohibited. Lewd behavior includes, but is not limited to, sexual acts in public places, and exposing genitalia.

3.44 Sexual Assault/Sexual Misconduct and Title IX Compliance
North Dakota State University (NDSU) strives to create a campus community free from interpersonal abuse including sexual misconduct. See NDSU Policy 603 – Sexual Misconduct and Title IX Compliance.

Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. Anyone who becomes aware of a Title IX complaint or violation of this policy and has the authority to take action on the complaint or violation, shall report the complaint or violation either to the Title IX Coordinator or a Deputy Title IX Coordinator:

Chief of Staff/Title IX Coordinator

Old Main 102

3.45 Endangerment or Safety of Individuals

- Initiating or circulating a report or warning concerning an impending bombing, a fire, or other emergency or catastrophe knowing that the report is false, or knowingly transmitting such a false report to an official or an official agency, is prohibited.
- Willful failure to comply with orders issued by any emergency personnel during any real or perceived emergency condition is prohibited. Examples include, but are not limited to, tornado, fire, fire drill, bomb threat or situations requiring shelter in place.
- Tampering with any fire protection sign or device or any other emergency equipment, including, but not limited to, fire extinguishers, fire hoses, smoke/heat detectors, sprinkler systems and other alarm systems, for reasons other than an actual or perceived emergency, is prohibited.
- Tampering with elevator controls, elevator shaft access, and/or other elevator equipment by acts including, but not limited to, jumping, elevator surfing, falsely sounding alarms and stopping between floors, is prohibited.
- Willful failure to follow safety standards is prohibited.
- Creating a risk of bodily harm or falsely creating the impression of risk of bodily harm to others is prohibited.
- Knowingly focusing, pointing or shining a laser pointer at an aircraft or at a person is prohibited. A laser pointer is any device that creates a visible light used for aiming, targeting or pointing out features.

3.46 Hazing

Hazing is prohibited regardless of location, intent or consent of participants. Hazing is defined as any action or situation that intentionally or unintentionally endangers a student for admission into or affiliation with a student organization or group. Such activities and situations include, but are not limited to, paddling in any form; creating excessive fatigue; forced consumption of any substance; forced road trips; morally degrading, demeaning, unsanitary, humiliating games or stunts; and harassment, ridicule or other activities prohibited by law or university policy.

It is the responsibility of the organization and its leadership in conjunction with the (inter)national organization, if any, to protect potential members, members or other persons associated with the organization from any hazing activity or practice conducted, condoned, or encouraged by the current members of the organization, alumni or other associates.

3.47 Sporting Activity Restrictions

Riding skateboards or scooters and using in-line skates, roller skates, and bicycles are prohibited inside all university facilities. Use of water guns, water balloons and throwing of flying discs, balls or other objects also are prohibited indoors, except when authorized. Use of projectile launchers is prohibited on campus without documented permission by an appropriate university official. Launchers may include those intended for water balloons, potatoes, pumpkins and other items. For guidance, contact the director of University Police and Safety Office.

3.48 Weapons/Firearms/Explosives

Unauthorized and/or illegal possession, display or use of firearms, explosives or other weapons is prohibited.

- Firearms and weapons include, but are not limited to, airsoft guns, BB guns, dart guns, handguns, paint ball guns, pellet guns, rifles, shotguns, stun gun or similar device designed to deliver an electric shock, daggers, knives, sabers, swords, and bows and arrows.
- Explosives include, but are not limited to, bombs, explosives, fireworks and other incendiary devices. Incendiary devices are defined as any flammable liquid enclosed in a readily breakable container that can be equipped with an igniter of any type.
- Other weapons include, but are not limited to, martial arts implements, dangerous fuels and chemicals. Any object may be considered a weapon when used to inflict or threaten infliction of bodily injury or property damage.
- Throwing or casting any object into, upon or against any building, structure, motor vehicle or at any person is prohibited.

This policy shall not prohibit persons or student organizations from possessing, storing or using weapons at approved locations for the purpose of meeting requirements of educational programs and/or a student group recognized by the university. For authorization, contact the director of the University Police and Safety Office.

The University Police and Safety Office provides limited, temporary storage space for on-campus residents to store ammunition and sporting arms, such as those used for hunting and other shooting sports. Weapons should be checked in immediately upon arrival to NDSU and checked-out immediately prior to leaving the campus. An officer must be present for check-in/check-out. The University Police and Safety Office is open and available for check-in/check-out on a 24/7 basis.

IV Student Organizations/Activities

4.1 Responsibilities of Student Organizations and Affiliated University Groups

A student organization or a group affiliated with the university shall be deemed responsible for acts of prohibited conduct committed by individuals when such acts:

a) Are mandated, sponsored, approved, or encouraged by the group or organization, whether explicitly or implicitly; or

b) Take place in the context of a tradition, custom or past practice of the group or organization; or

c) Are reasonably foreseeable as a result of an activity carried on by the student organization or affiliated university group.

Students residing in properties owned by organizations or groups affiliated with the university will be held responsible for their conduct, conduct of their guests and controlling access to their premises.

4.2 Student Organizations and Affiliated University Group Compliance with University Policy

Student organizations and affiliated university groups must be in compliance with university policies, procedures and regulations. Prohibited conduct includes, but is not limited to, misappropriation of funds, misuse of property, improper registration or misrepresentation of an organization or group, or abuse of student election regulations.

4.3 Conduct Resolution and Enforcement Procedures

For information concerning the code resolution procedure(s) to be utilized, refer to Part V. Procedures and Part VI. Conduct Board Procedures.

When a student organization or an affiliated university group is charged with prohibited conduct, the presiding officer or individuals affiliated with the group shall be required to participate as representatives of the group in proceedings conducted under this code.

In some cases, organizational officers or members also may be charged with individual violations related to the original incident involving the organization, in separate proceedings.

Because conduct records of student organizations are not protected by the Family Educational Rights and Privacy Act (FERPA), any individual is entitled to learn the results of conduct actions taken against student organizations as long as those disclosures do not compromise the privacy of any individual student's education record. In such situations, federally protected individual names will be removed.

4.4 Recognition

Recognition of student organizations is granted by the Student Government Executive Commission of the Congress of Student Organizations and registered in the Student Activities Office in the Memorial Union. Although student organizations are independent organizations from NDSU, they are expected to uphold and comply with university policies; the Code of Student Conduct; and local, state and federal laws.

Student organization purposes must be compatible with the educational mission and purpose of the university.

Students and student organizations are free to examine and express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt regular and essential operations of the university. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

4.5 Membership

Membership must be limited to current students, faculty and staff of NDSU. Students who transfer to another Tri-College institution who want to retain membership in an NDSU registered student organization may be eligible for on-going membership, contingent upon approval from the dean of student life. In the case of dual college or tri-college recognized student organizations, membership criteria as defined in the CSO guidelines must be met.

4.6 Registration Requirements

The following information must be electronically filed with the Student Activities Office:

a. Organization registration form
b. Signed agreement by local student organization officers that there will be no illegal discrimination on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation or status as a U.S. veteran, or any form of discrimination in the selection of members or officers on a local level.
c. Signed agreement by local student organization officer(s) that there will be no participation in any activities that could be considered hazing.
d. Request to check Eligibility for Participation Form.
e. Copy of the current constitution.

Students holding elected or appointed leadership positions must meet the following academic and good conduct eligibility standards:

a. Students in leadership positions must have attained and must maintain during the term of participation a minimal cumulative grade average of 2.0.
b. Students in leadership positions must be enrolled for and maintain a minimum of nine (9) semester credits during the term of participation and have successfully completed nine (9) credits from the most previous semester.
c. Students in leadership positions must be in good conduct standing with the Office of the Dean for Student Life.

Additional information regarding eligibility for participation in co-curricular activities can be found on the Student Life webpage at www.ndsu.edu/student_life/policies_and_forms/eligibility_for_participation_in_co_curricular_activities/.

4.7 National/International Affiliated Organizations

National/international affiliated organizations must uphold the policies and procedures of their national/international organizations in addition to university policies and procedures. University policies will supersede in the case of conflicting policies.

4.8 On and Off Campus Activities/Events

All on and off campus activities/events must follow all guidelines and procedures set by the Memorial Union Student Activities Office.

- **Chalking**
  Individuals who want to chalk on sidewalks near the Memorial Union should seek permission from the director of the Memorial Union. Contact the director of facilities management to seek permission to chalk in any other area. Chalking on any other surfaces is prohibited. The content of messages is limited to the promotion of a specific event.
- **Posters, Signs, Leaflets**
  Placing posters, signs or leaflets, except on one's own personal property or in areas authorized and provided for that purpose by the university, is prohibited. Individuals should seek permission from those persons who have administrative control of that location. For guidance when this person is unknown, contact the Dean of Student Life Office.

4.9 Fraternities and Sororities

- **Membership**
  Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College/ Dual-College recognition; membership is limited to students enrolled at NDSU.
- **Residents of Greek Chapter Houses**
  Only initiated member(s) of that chapter currently enrolled at NDSU, or a house employee, may reside in the house during the fall and spring semesters without authorization from the dean of student life and by chapter leadership.
- **Summer Rules**
  Fraternity and sorority presidents are to furnish names of the summer house managers to the assistant director of fraternity and sorority life, Memorial Union. Chapter leadership is required to inform summer residents of university and fraternity/sorority life policies.
- **Alcohol and Other Drugs**
  Fraternity Houses – No alcoholic beverages are permitted in common areas of chapter property at any time. Members who are 21 years of age may consume alcohol in the privacy of their rooms/suites with no more than three non-room/suite residents who are also 21 years of age or older. If multiple individuals live in one room/suite, all residents must be 21 years of age or older. Illegal drugs are not permitted

on chapter property at any time.

Sorority Houses – National Panhellenic Conference policy requires alcohol free facilities for all house chapters. Illegal drugs are not permitted on chapter property at any time.

- **Code Violations**

  As is the case with all university student organizations, fraternities and sororities will be held responsible for any conflicts with university policies occurring in chapter residences or at functions or social events sponsored by chapters.

4.10. **Commercial Solicitations and Distribution Issues**

See NDSU Policy 154: Distribution of Literature www.ndsu.edu/fileadmin/policy/154.pdf.

V. Procedures

Resolution of Alleged Code Violations

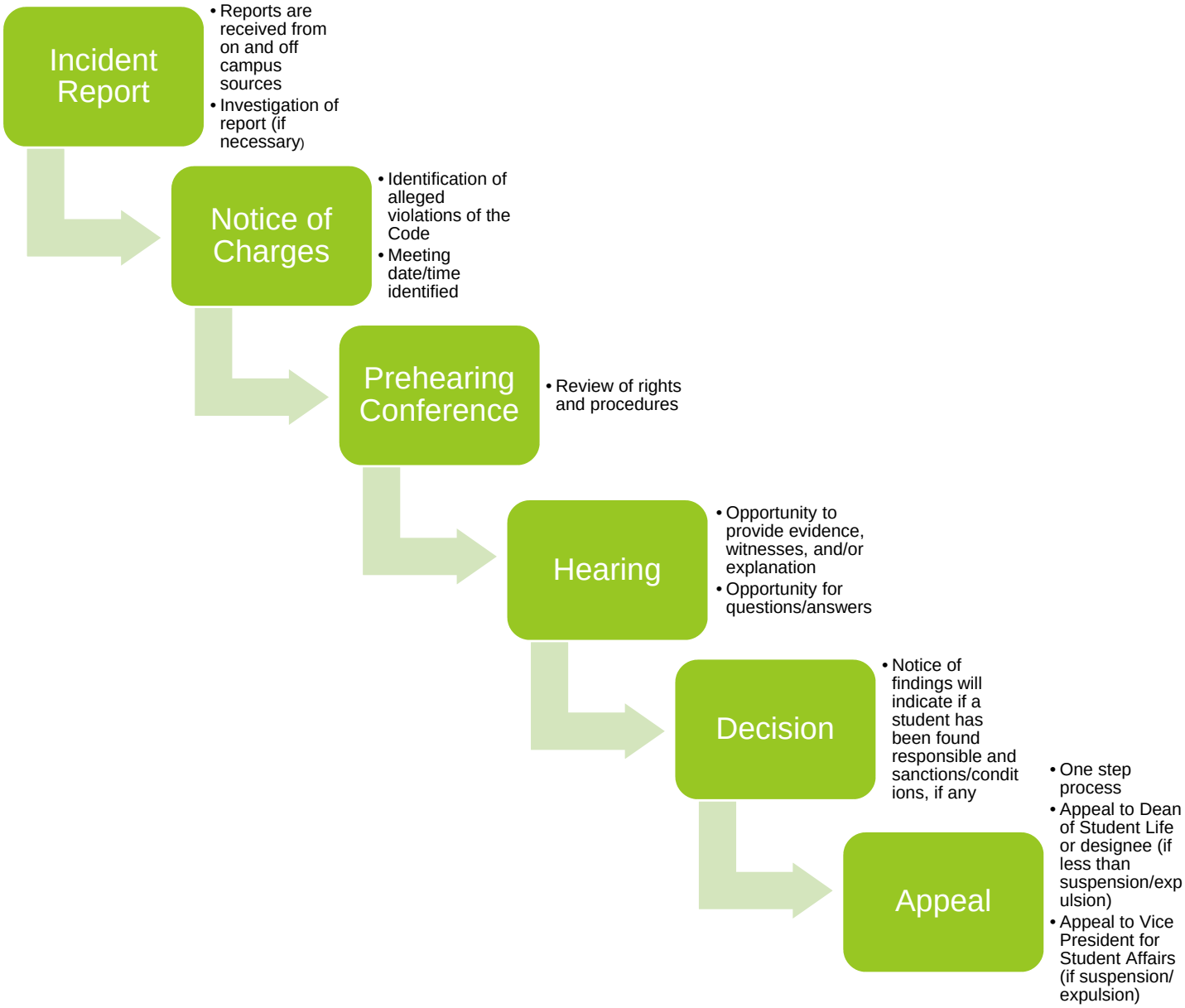
The code resolution process generally includes the following steps:

a) Receipt of an incident report,
b) Creation of a conduct file,
c) Implementation of interim actions, if necessary
d) Investigation of incident, if necessary
e) Notice of alleged violations,
f) Prehearing Conference,
g) Hearing,
h) Notification of findings, including sanctions, and terms and conditions, as assigned,
i) Appeal (if student chooses),
j) Notification of appeal decision (if applicable).

A detailed description of these steps is provided below. Cases related to Title IX compliance will require some modification of the resolution process, as approved by the NDSU Title IX coordinator.

Resolution of Alleged Code Violations

Attachment 2



5.1 Reporting and Investigating Complaints

When provided information by law enforcement agencies, the university reserves the right to initiate action under this code when alleged violations of the code are believed to have occurred. Reports and investigations are used to determine whether a student is responsible for alleged violations of the Code of Student Conduct, and include the following purposes:

a) To provide for the education of students;
b) To promote the health, safety and well-being of university community members;
c) To provide for fair inquiries concerning alleged violations of university policies;
d) To determine whether or not any individual student has violated a university policy;
e) To allow for consideration of extenuating or mitigating factors when a violation has been found to exist;
f) To determine a resolution that will be appropriate; and
g) To help the student make a constructive response toward self-discipline.

5.2 Reporting Alleged Violations

Alleged violations should be reported as soon as possible following the discovery of alleged prohibited conduct and may be initiated by law enforcement, any member of the NDSU community, or other interested parties.

An alleged violation should be reported to the:

a) Dean of Student Life Office, 250 Memorial Union, and/or
b) Department of Residence Life, West Bison Court

5.3 Investigations

Investigation means to gather the facts, details and circumstances associated with a complaint. The investigation may include interviewing witnesses, review of documents or other steps that will assist the dean of student life and/or designee to determine whether charges are warranted. Dismissal of the complaint, an alternative resolution, or charges may result following an investigation. This determination is made at the discretion of the dean of student life and/or designee based on recommendations from investigators.

The University may independently investigate an allegation of student conduct, and may also initiate an investigation at the request of any member of the NDSU community or affected party. Student Life hearing officers and other designated university personnel are authorized to investigate alleged violations of the Code of Student Conduct.

Any person believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Failure to comply with a request to make and keep an appointment relevant to an investigation may result in a conduct hold being placed on a student's registration and records.

5.4 Interim Measures

In the interest of safety and security, interim actions may be implemented by the dean of student life prior to a completed investigation or conduct hearing. Specific actions will be based on the circumstances of the allegations and may include, but not limited to no contact orders, housing/workplace changes, loss of privileges, or temporary emergency suspension.

5.5 Searches and Seizures

University policy on the privacy of student rooms stipulates that entry and search of university residences by university officials will be permitted only in one or more of the following instances:

a) The student consents to the search;
b) The officials responsible fear an imminent danger to health, safety, life or property;
c) The vice president for student affairs or designee provides a written administrative authorization specifying reasons for the search, objects of information sought and area to be searched; or;
d) University officials fear imminent destruction of evidence relevant to a suspected violation of university policies.

When students are suspected of violating NDUS or NDSU Acceptable Use Policies, student computers, associated peripheral devices, and media storage devices may be taken into temporary custody on authority of the Information Technology Security Officer (ITSO) to collect and preserve evidence of possible violations of local, state or federal laws (see NDSU Policy 158: Acceptable Use of Electronic Communications Devices: www.ndsu.edu/fileadmin/policy/158.pdf and State Board of Higher Education (SBHE) Policy 1901.2, Computing Facilities: www.ndus.edu/makers/procedures/default.asp?PID=301&SID=62).If additional questions remain, contact the Information Technology Security Officer (ITSO).

The university requires that university officials notify the dean of student life and/or designee of searches. The university will not intervene between students and searches authorized under law by any law enforcement agencies.

The right to inspect residence hall rooms and university apartments without notice is reserved by the university for purposes of maintenance, cleaning, fire, personal safety and administering provisions of the license contract. The university will provide reasonable notice, when possible. Such entry by the university shall not be regarded as a search, but is separately agreed to and authorized by the student through provisions in the residence life

license contract. Items that pose an imminent danger to health, safety, life, or property may be taken into temporary custody of residence life staff, university police, or other emergency personnel.

5.6 Notice of Charges

Within a reasonable number of business days (generally 15) of receipt of the complaint, a written notice will be sent, usually via authorized university email, to the accused student to arrange a prehearing conference.

The notice of charges will include when known:

- Nature of the alleged code violation;
- Date, time and place of the alleged code violation;
- Source of the information;
- Summary of the evidence to be presented;
- Maximum sanction applicable if found in violation of the Code of Student Conduct;
- The student's right to be represented by an attorney or nonattorney advocate, at the student's expense if suspension or expulsion are identified as potential sanctions;
- Notice that a decision may be made in the student's absence based on the information currently available.

The student must be given notice in writing of a summary of the charges and evidence to be presented in sufficient time to ensure an adequate opportunity to prepare for the hearing. The university will provide the student oral or written notification of the hearing at least three business days prior to the hearing date. Students may consent to a shorter notice period, if they so choose.

5.7 Prehearing Conference

During the prehearing conference, the hearing officer will discuss the:

a) Student's rights and responsibilities and
b) Nature of the complaint and how the Code of Student Conduct may have been violated.

The student may request to proceed with an immediate hearing, except in cases which may result in suspension or expulsion. The hearing officer may refuse to hear the case and refer it to another hearing officer.

5.8 Conduct Hearings

The Code of Student Conduct resolution process is facilitated through an administrative hearing. An administrative hearing involves the accused student, hearing officer and any other individuals necessary to determine whether or not there has been a violation of university policies. The hearing officer is the NDSU representative assigned to process an alleged violation of university policies. At this hearing, the student has a right to make a written and/or oral statement describing the event(s) that led to the charges.

In all cases involving an allegation of sexual misconduct, the accused student and the alleged victim shall have equal procedural rights as detailed in Policy 603.

When a case has potential to result in suspension or expulsion, the hearing will be recorded and retained as part of the student's file. In some situations, the hearing officer may recommend to the dean of student life that a video recording may be more appropriate than an audio recording. Notice will be provided to the student no less than two business days before the hearing. Access to the recording will be made available for the purpose of preparing an appeal. Requests for access should be directed to the Dean of Student Life Office.

The hearing officer will provide written notice of the findings to the student stating whether or not the Code of Student Conduct was violated. The written notice will include sanctions and terms and/or conditions for continued enrollment or re-enrollment, if any. The notice will generally be provided within 10 business days following the hearing. The dean of student life may grant time extensions, if necessary.

University administrators who have direct responsibility for student organizations will process conduct cases related to fraternities, sororities and student organizations. Individual organizational boards will address only violations of those organizational standards, not violations of this code.

5.9 Student Advisory Options

The student has the right to have a person present who may act in an advisory capacity. Hearing advisors may not serve as witnesses. Hearing advisors who do not comply with hearing procedures or the directives of the hearing officer may be cautioned by the hearing officer and if they persist, may be asked to leave.

If a student chooses to have an attorney present as his or her hearing advisor, NDSU may request legal representation be present as well. In cases that do not involve potential for suspension or expulsion, the role of an attorney shall be to advise his or her client, not to participate in the hearing. Attorneys who do not respect this provision may be cautioned by the hearing officer and if they persist, may be asked to leave.

In cases that could result in suspension or expulsion, attorneys or nonattorney advocates may fully participate, which means they may make opening and closing statements, examine and cross-examine (through the hearing officer) witnesses present during the hearing, and provide the student with support, guidance and advice throughout the process.

5.10 Default Proceedings and Unresolved Charges

When a student/organization fails to appear for a hearing appointment without advance notice, or leaves the university with unresolved charges, the hearing officer may make a decision in the student/organization's absence, providing the student/organization was issued adequate written notice of the date, time and place of the scheduled hearing via the NDSU email system.

In certain cases, the hearing officer reserves the option to place a registration hold on the student's records and archive the case until such time the student requests re-registration or a resolution of the pending matter. The hearing officer also may place a transcript notation, "may not register for non-academic reasons," after recommendation to and approval from the dean of student life or designee.

5.11 Student Organizations in Default

In the event a student organization becomes inactive rather than appear for a hearing, the default decision will typically be withdrawal of recognition granted by the Congress of Student Organizations. In addition, officers of the organization at the time of the incident may face conduct proceedings individually for failure to comply (see Section 3.20) and also may be charged with one or more of the original alleged violations of the code arising from the alleged misconduct by the organization.

If the organization requests registration at a later date, the dean of student life or designee will assign a hearing officer to meet with the student organization leadership to determine responsibility for the original charges, determine or recommend the appropriate sanction, and if that sanction is less than suspension or expulsion, will assess the need for any current remedial actions.

5.12 Conflicts of Interest

Any hearing officer who has a conflicting interest in the particular case may not participate. Each party has the right to challenge the appointment of a hearing officer. Challenges must be submitted in writing to the dean of student life or designee at least two business days prior to the hearing. If a party fails to raise a perceived conflict by objecting to that person two business days in advance, any objection is deemed to be waived. An individual may not be disqualified solely on the basis of his or her position in the university community.

5.13 Burden of Proof

The burden of proof will rest upon the hearing officer.

5.14 Standard of Proof

The standard of proof will be "more likely than not." A student is found to have violated this code when the student:

a) Admits to the violation or
b) Information available at the time of the hearing supports a finding of responsibility.

5.15 Witnesses/Witness Statements

The accused student and the hearing officer will be given reasonable opportunity to present witnesses and/or witness statements and will be allowed to address questions to any witnesses participating in the hearing. An absolute right of cross examination is not granted under this code. All questions will be addressed through the hearing officer, who will determine if the questions are relevant and reasonable, and if necessary, will exclude questions that are redundant or irrelevant in determining responsibility. Witnesses will be given reasonable latitude to respond fully to questions and will only remain for the duration of their own testimonies. All written statements that are to be considered are to be provided at least two business days prior to the hearing. Written statements must also be signed and dated, with the name of the witness printed below to ensure legibility or sent electronically directly by the witness. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

Character witnesses are not permitted. If the accused student is found responsible for violating this code, character statements may be considered during sanctioning. The accused student may submit up to three letters to the hearing officer, at least two business days prior to the hearing. Each letter must be dated and signed, with the name of the individual signing printed below to ensure legibility or sent electronically from the author of the written statement.

5.16 Evidence

The accused student and the hearing officer will be given reasonable opportunity to present any written or oral information that is relevant in determining responsibility. All pertinent information that is to be considered is to be provided at least two business days prior to the hearing. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

Because the hearing is an educational process, formal rules of evidence do not apply. For this reason, hearsay evidence may be permitted. It refers to testimony given by a witness who speaks about information received from others, rather than information given directly by that witness. The value of such evidence rests with the discretion of each hearing officer.

5.17 Self Incrimination
Accused students and witnesses shall not be compelled to incriminate themselves by being obligated to testify that they engaged in conduct constituting a violation of this code and/or local, state or federal law.

5.18 Closed Hearings
All hearings are generally closed except to those persons who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the charged student and the dean of student life or designee. The dean of student life or designee may permit a limited number of NDSU personnel to be present as observers for the purpose of training. Other exceptions may also be made as deemed necessary by the dean of student life or designee.

5.19 Appeals
Students sanctioned for violations of any part of this Code of Student Conduct or relevant university policies may appeal. Students are limited to one appeal and that decision is final (see Section VIII Appeal Procedures).

VI. Hearing Procedures for Potential Suspension or Expulsion Cases

6.1 Introduction
With all parties present, the hearing officer will call the meeting to order and will ask all parties participating in the hearing to introduce themselves and identify their role in the proceedings.

The hearing officer will describe the general outline of the hearing and will read the honesty statement. If a student is represented by an attorney or nonattorney advocate, that individual has the ability to fully participate in the hearing as indicated in section 5.9. Hearing advisors (attorney or nonattorney advocates) will be required to sign a confidentiality statement pertaining to information about all parties involved in the hearing.

The hearing officer will dismiss witnesses until they are called to speak.

Honesty Statement

The university expects that all information presented in this hearing will be true and correct to the best of each person's knowledge. If students willfully provide false information, they will be in violation of NDSU's Code of Student Conduct. As a result, they also may be subject to additional disciplinary action. Dishonest

6.2 Complaint and Response
The hearing officer will introduce the case.

The accused student (and/or attorney or nonattorney advocate) will be permitted to respond to the charges and present information that is relevant in determining whether the student violated one or more sections of the code.

6.3 Presentation of Witnesses
The hearing officer and the accused student will be allowed to present witnesses who may be asked questions by the hearing officer, accused student (and/or attorney or nonattorney advocate), and dean of student life or designee. All questions will be directed to the hearing officer who will determine relevancy to the proceeding, request clarification if necessary, ask if the respondent understands the question and request a response.

6.4 Final Questions
The hearing officer and accused student (and/or attorney or nonattorney advocate) will be permitted to ask questions of each other.

Questions will be permitted by dean of student life or designee, who may question either party.

The hearing officer and accused student (and/or attorney or nonattorney advocate) may be permitted to ask additional questions of each other.

6.5 Closing Statements
The accused student (and/or attorney or nonattorney advocate) will have an opportunity for a closing statement.

6.6 Deliberation and Decision

If the hearing officer believes that suspension or expulsion is warranted, the hearing officer will make this written recommendation to the dean of student life. When the recommendation has been approved by the dean of student life, it will be returned to the hearing officer with the dean of student life's endorsement, and the hearing officer will issue the written decision.

The hearing officer will provide written notice of findings to the student stating whether or not the Code of Student Conduct was violated. The written notice will include sanctions and terms and conditions for continued enrollment or re-enrollment, if any. The notice will generally be provided within 10 business days following the hearing. The dean of student life may grant time extensions, if necessary.

VII. Sanctions and Conditions

A sanction is a consequence placed upon any student for violations of specified university policies. Sanctions help define the student's relationship with the university in the context of current and potential future conduct, including a notice that further violations may lead to more severe conduct sanctions.

If a student is found not responsible for the alleged code violation(s), no action will be taken against the accused student; however, having been through the Code process, the student is considered knowledgeable regarding the Code's provisions and expectations, and that knowledge may be taken into consideration in the event of future Code actions.

In cases in which the student is found responsible for violating one or more policies, a sanction may be imposed. Sanctions may not include suspension or expulsion unless the student receives prior written notice that the case was serious enough to warrant suspension or expulsion. The sanctions listed below are assigned based on the severity of the incident and/or past conduct history:

1. Warning,
2. Conduct probation,
3. Supervised conduct probation,
4. Conduct suspension,
5. Expulsion, or
6. Recommendation to the provost to withhold or rescind a degree.

Written decisions are generally rendered within 10 business days from the date of the hearing. In cases of code violations serious enough to warrant suspension or expulsion, the hearing officer will make a recommendation to the dean of student life. When approval of the recommended sanction is received, the hearing officer will issue the written decision. Sanctions of suspension and expulsion are noted on students' academic transcript.

When certain mitigating circumstances exist, such as an extended period of time between the incident and reenrollment, a finding of responsibility may result in no sanctions required.

With each sanction, terms and conditions and/or restorative actions may be assigned. In addition, notification may be given to other university officials as necessary. Terms and conditions include, but are not limited to:

1. Alcohol or other drug programming, evaluation and /or testing,
2. Written assignments,
3. Participation in a specific activity or project,
4. Restricted access,
5. Loss of privileges,
6. No contact orders,
7. Restitution, and/or
8. Confiscation.

In assigning a sanction and/or terms and conditions for inappropriate student conduct, the hearing officer will consider:

a) Facts of the case as presented from all relevant sources, including the accused student,
b) Existence of any physical evidence or written or oral information provided by the accused student and/or witnesses,
c) Type and severity of the offense,
d) Impact on the victim(s), the educational community and its members,
e) Previous incidents of prohibited conduct committed by the accused student, and
f) The ability and/or willingness of the student to accept responsibility.

7.1 Sanctions

Written Warning
A warning is a written notification that subsequent code violations will normally result in more severe sanctions.

Conduct Probation
Conduct probation is a written notification of a specified period of review and observation during which the student must demonstrate the ability to comply with university policies; local, state and federal laws; and any other terms or conditions that have been imposed in writing. The specific terms of the probation will be determined on a case-by-case basis. Further prohibited conduct may result in additional sanctions to be assigned, including, but not limited to, suspension or expulsion.

Supervised Conduct Probation
Supervised conduct probation generally requires meetings with a member of the Division of Student Affairs at regularly established intervals to monitor progress in behavioral, academic, social, vocational and other areas of the student's life necessary to strive for overall success at NDSU. The supervisor may assign educational tasks and/or projects as deemed necessary and appropriate to assist the student in personal growth. Further prohibited conduct may result in additional sanctions to be assigned, including, but not limited to, suspension or expulsion.

Conduct Suspension
Conduct suspension is a written notification of the termination of status as an enrolled student or registered student organization for a specified period of time not to exceed two academic years. In cases of crimes of violence, hate crimes, and/or Title IX related violations, the dean of student life may specify a longer period of suspension.

a) A student may not re-enroll during the period of conduct suspension.
b) The student's eligibility for any refund of tuition/fees will be subject to the university's normal withdrawal policy.
c) The notice of conduct suspension will include the conditions for readmission that must be met prior to application for readmission. Students may obtain a reactivation of student status (after absence) form from Registration and Records, Ceres Hall, or online through Bison Connection. An interview with a member of the dean of student life staff also will be required prior to acceptance of the student's application for readmission.
d) While a student is under conduct suspension from NDSU, no academic credit earned during the suspension period will be accepted for transfer from any other higher education institution at any time. The student's transcript will carry a notation "may not register for nonacademic reasons" without further explanation. If the student is subsequently readmitted, the original notation will remain on the transcript and a new notation will be added, "eligible for registration effective ..."
e) A student who has been suspended must vacate residence life facilities within the time frame established in the written notice of the conduct suspension.
f) In addition to being ineligible for enrollment, a student is also ineligible for employment with NDSU.
g) There may be other restrictions placed on the suspended student including, but not limited to, restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities. The student also may be required to obtain prior written permission from a member of the dean of student life staff before being on any portion of the NDSU campus during the period of suspension. Approval is generally granted only to permit a student to conduct business related to the university.
h) Conduct suspension is a matter of permanent record. A permanent record indicates that student conduct files may be retained indefinitely at the discretion of the dean of student life, but not less than seven (7) years.
i) Student organizations placed on suspension may have all rights and privileges provided by CSO revoked for the duration of their suspension. In order to regain all rights and privileges, the student organization is required to comply with and complete any and all sanctions and terms and conditions.

Expulsion
Expulsion is a written notification that the student is permanently ineligible to return to the university. The expulsion will be recorded on the student's transcript as "may not register for nonacademic reasons" and is a matter of permanent record.

The student must leave university residences and cease all use of university owned or controlled buildings, properties and services as designated in the expulsion notice. The expulsion notice will also include any other specific restrictions and a time frame during which these restrictions apply. These may include restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities.

Written requests for exceptions to restrictions may be directed to the dean of student life or designee; however, approval is generally only granted for the purpose of conducting official university business. Requests for readmission will not be approved.

Degree Rescission
If a person has been awarded an NDSU degree and it is subsequently discovered that the person committed a serious breach of this code while attending the university, the university may, upon separate proceedings, elect to rescind the degree. See Section 9.1 regarding graduation holds for similar reasons.

7.2 Conditions

Alcohol and Other Drug Programming, Evaluation, and/or Testing

A student may be required to participate in alcohol and other drug programming as a result of participating in any incident involving the use or abuse of alcohol and other drugs. The university reserves the right to require alcohol/drug testing and/or evaluation as a condition of enrollment or continued enrollment when:

a) A student's conduct endangers or may endanger the safety of themselves, others, or property, and/or
b) A pattern of conduct has been demonstrated by a student.

Written Assignments

Students may be required to complete written assignments as a means of reflecting and/or learning more about a particular topic.

Participation in a Specific Activity or Project

A student may be required to participate in a specific activity or project, such as public service; an educational class; and/or meeting with a designated university official or other assignment.

Restricted Access

Students may have access to university facilities and grounds restricted for a specified period of time. Restricted access may include but is not limited to entry into university facilities or athletic fields, access to specific university offices, and visiting and/or living in any university housing facility. Students found in violation of restricted access directives may be issued a trespass citation by University Police and may be subject to further conduct action.

Loss of Privileges

A student may be denied various privileges associated with being a student at NDSU. Such privileges may include, but are not limited to, one or more of the following:

a) Participating in or attending events sponsored by the university or by students;
b) Holding office in any Congress of Student Organizations (CSO) recognized student organizations;
c) Receiving or being a guest in residence life facilities;
d) Access to parts of or all university property, including eligibility to reside in university facilities;
e) Receiving financial aid;
f) Being employed by the university;
g) Representing the university, including travel on behalf of the university;
h) Sponsoring or hosting organization or campus wide functions;
i) Using IT services; and
j) Maintaining recognized student organization status with the CSO.

No Contact Order

Students may be prohibited from direct or indirect physical and/or verbal contact with another individual or group. Reasonable restrictions to protect the safety and welfare of others may also be imposed. These include, but are not limited to, any and all forms of communication, access to university owned or controlled locations, and specified minimum distances.

Restitution

A student may be required to repair, pay the cost for repair or pay for cost of replacement of any university or state property damaged by the student. In each case, the goal will be to return the damaged property to its existing condition at the time of damage. The determination of the method used to calculate restitution shall be the responsibility of the hearing officer, taking into consideration the fair market value or cost to repair the damaged item(s). In the case of personal injury, the responsible party may be required to cover the cost of medical care for others harmed as a result of the student's actions.

When available and appropriate, secondary markets may be utilized. The decision maker shall consider information and/or evidence provided by both parties to achieve a fair and just result. Failure to make timely arrangements for restitution may result in the cancellation of the student's registration, prevention of the student's re-registration, or more severe sanctions including, but not limited to, conduct suspension or expulsion. When the responsible party is a student organization, additional sanctions or terms and conditions also may be assigned for failure to make timely arrangements for restitution.

Confiscation

In addition to items seized as evidence, goods used or possessed in violation of university policies and/or local, state or federal laws, may be confiscated and not be returned to the student. This includes, but not limited to, falsified information or identification.

VIII. Appeal Procedures

Students sanctioned for violations of this code may make one appeal. Cases resulting in suspension or expulsion are appealed to the vice president for student affairs. All other appeals are addressed to the dean of student life, or an administrator of residence life, depending upon who served as the hearing officer.

8.1 Deadline for Appeals

An appeal of any conduct process decision must be made in writing within five business days following the date the sanction notice is sent to the student via the NDSU email account. When necessary to utilize U.S. mail, students will be afforded 10 business days from the date of letter to submit an appeal. If hand-delivered, a notation of that date will be made in the student's conduct file. In extraordinary circumstances, the dean of student life may grant time extensions. The university reserves the right, however, to reduce the time allowed for a student appeal in cases that may have the potential to result in harm to persons and/or property. The reduced time for appeal will be specified in the decision letter along with the rationale for allowing reduced time for an appeal. The appeal must be written by the student and shall contain the student's name, date of the decision or action, and reason(s) for the appeal.

8.2 Appeal Letters

Appeals must be submitted to the appeal officer specified in the decision letter and must specify in detail one or more of the following bases of appeal:

a) The severity of the sanction was not consistent with the severity of the offense,
b) The decision was made in an arbitrary or capricious manner,
c) The finding of the code having been violated was not substantiated by the evidence, and/or
d) The student's rights were violated. Those rights believed to be violated must be specified.

8.3 Emergency Provisions

Normally a properly filed notice of appeal suspends the imposition of sanctions until the appeal is decided; however, some emergency provisions may be sustained throughout the appeal to protect persons and/or property. Such provisions will be explained in the original letter to the student outlining the decision, along with the rationale for maintaining those emergency provisions throughout the appeal.

8.4 Appeal Advisory Board

The appeal officer reserves the right to appoint an appeal advisory board to review appeals. In such instances, the appointed advisory board will make a recommendation that the appeal officer may accept or reject. The decision of the appeal officer will generally be issued within 10 business days of receiving the recommendation from the advisory board and that decision will be final.

8.5 Review

The appeal officer/advisory board will review the written letter of appeal from the student and materials from the original hearing. In reviewing the appropriateness of sanctions, the student's entire conduct file may be considered. After reviewing these materials, the appeal officer/advisory board may decide to do one of the following:

a) Issue a decision based solely on the written materials,
b) Issue a decision based on a review of written materials and discussion with the involved principals,
c) Recall one or more witnesses,
d) Return the case to the body conducting the original hearing for presentation of new evidence and reconsideration of the decision and/or sanctions.

8.6 Decision/Sanction

When the accused student makes the appeal, the appeal officer/advisory board may uphold or lessen the original decision/sanction, but not increase the sanctions/actions imposed by the hearing officer. The decision on the appeal will generally be made within 10 business days of receipt of the appeal, but may take longer during university recesses or in the event of complex cases, or when an advisory board has been appointed to make an appeal recommendation.

8.7 Appeals by Accuser

An appeal by the accuser may only be allowed when it is alleged that the accuser was the subject of a Title IX violation, including sexual assaults, as defined in this code. In some cases, an accuser's appeal could result in a different decision and/ or stronger sanctions than originally imposed.

8.8 Rehearing Requests for Cases Resulting in Suspension or Expulsion

Any student who is suspended or expelled has the right to request a reconsideration of the case based on new or contradictory evidence that was not available at the time of the original decision, and/or evidence that the student was not afforded due process as outlined in this Code. A request for reconsideration of the case should be submitted to the Vice President for Student Affairs. Information that may be considered may include police reports, transcripts of legal proceedings and the outcome of any civil or criminal proceeding directly related to the appeal.

IX. Special Circumstances and Conditions

9.1 Registration/Graduation Hold

a) If a student (new, current or returning) fails to respond to a request to meet to discuss an alleged violation of this code, or fails to comply with sanctions or terms and conditions assigned as a result of being found responsible for a violation of this code, a hold may be placed on the student's eligibility to register or the student's current registration may be canceled. If registration is canceled, eligibility for any refund of tuition/fees will be subject to the university's withdrawal policy.

b) Students may not be permitted to graduate or officially withdraw from NDSU while disciplinary action is pending. If the student withdraws before NDSU becomes aware of the potential violation of this code, the student's academic records may be placed on hold and the allegations must be resolved prior to the student's readmission.

9.2 Returning and/or New Students

If a student commits an act that violates this code during a period of nonenrollment, a registration hold may be placed to prevent the student's registration until a hearing may be held on that matter. The student may be notified about these holds at the time the university is first notified about the incident, or notice may be provided when the student subsequently requests enrollment. In addition, a hearing officer, in consultation with the dean of student life or designee, may place a registration hold to deny a student the eligibility to register. Reasons may include, but are not limited to, the student's arrest or when criminal charges are pending against the student, serious concerns arise about the health or safety of the student or others in the university community, and/or as otherwise provided by NDSU Policy 607-Admission & Re-enrollment Safety Risk; Background Checks www.ndsu.edu/fileadmin/policy/607.pdf.

9.3 Temporary Emergency Suspension

A student may be temporarily suspended by the deal of student life, pending a hearing when the student's actions or threats of action indicate a serious threat to the welfare and/or safety of persons or property. No hearing will be required before a temporary suspension is imposed; however, one will be convened within five business days following the suspension. If the suspension is upheld, the suspension remains subject to the rules outlined in Conduct Suspension (see Section 7.1) and remains a matter of permanent record. Conditions under which emergency suspension may be imposed:

a) To ensure the health, safety or well-being of members of the university community,
b) To preserve university property,
c) To ensure the suspended student's own physical and emotional safety and well-being, or
d) To ensure against the disruption of, or interference with, the normal operations of the university.

9.4 Conditions Under Which Temporary Emergency Suspension May Be Imposed:

a) To ensure the health, safety or well-being of members of the university community,
b) To preserve university property;
c) To ensure the suspended student's own physical and emotional safety and well-being, or
d) To ensure against disruption of, or interference with, normal operations of the university.

No hearing will be required before emergency suspension is imposed; however, one will normally be convened within five business days following the suspension. In unique circumstances, any alteration to this timeline will be at the discretion of the dean of student life. If the suspension is upheld following the hearing, the suspension remains subject to the rules outlined in Conduct Suspension (Section 7.1) and remains a matter of permanent record.

9.5 Administrative Withdrawal for Psychiatric Reasons

A student may be subject to administrative withdrawal if it is determined by clear and convincing evidence that the student suffers from a mental disorder as defined by the current American Psychiatric Association Diagnostic Manual and, as a result of such a disorder, engages or threatens to engage in conduct that:

a) Poses a significant danger of causing imminent harm to the student or others, or
b) Directly and substantially impedes the lawful activities of other members of the campus community.

Consideration will be given first to use of normal conduct processes of counseling, voluntary withdrawal, use of state commitment laws (NDCC 25.03.1), or use of other alternatives whenever appropriate.

Conduct Violations

A student accused of violating this code may not be subject to the conduct process if the student, as a result of a mental disorder:

a) Lacks the capacity to respond to pending conduct charges, or
b) Lacks the capacity to know the nature or wrongfulness of the conduct at the time of the offense. Students subject to conduct charges who wish to introduce relevant evidence of any mental disorder must so inform the dean of student life in writing at least two business days prior to any conduct hearing. The dean of student life may elect to appoint a designee to act in administering this policy. If the dean of student life determines that the evidence may have merit, the case will then be resolved in accordance with these standards and procedures. If it is determined the student does not meet the criteria mentioned above, the case will be returned to the conduct process.

Evaluation Referral
The dean of student life may refer a student for an evaluation by an independent, licensed psychiatrist or psychologist chosen by the institution if the dean of student life reasonably believes the student may meet the criteria in Section 9.4, or if a student subject to conduct charges wants to introduce relevant evidence of any mental disorder. A student referred for evaluation will be informed in writing by NDSU email and the evaluation must be scheduled no later than five days from the date of the referral letter. The evaluation will be at the student's expense. If a student fails to complete an independent evaluation, he or she may be subject to the conduct process or an immediate interim withdrawal.

Interim Withdrawal
As stated above, an interim withdrawal may be implemented if a student fails to complete an evaluation with a licensed psychologist or psychiatrist. Also, an interim withdrawal may be undertaken immediately if the dean of student life determines a student may be suffering from a mental disorder, and the student's conduct poses an imminent danger.

A student subject to interim withdrawal shall be given written notice and may be assisted throughout this process by an individual of his or her choice. The student, whether or not an evaluation has been completed, shall be given the opportunity to appear personally before the dean of student life within 72 hours of the effective date of the interim withdrawal to review:

a) Reliability of the information concerning the student's conduct, and
b) Whether the student's conduct poses an imminent danger.

During an interim withdrawal, the dean of student life may place restrictions including, but not limited to, class attendance and use of campus services and facilities.

Involuntary Withdrawal
A student under consideration for involuntary withdrawal will be accorded an informal conference with the dean of student life or designee. The informal conference will be held within seven business days after an evaluation by a licensed psychologist or psychiatrist has been completed. Prior to the informal conference, the dean of student life and the student will have an opportunity to review independently the psychological or psychiatric evaluation.

a) The dean of student life conducts informal conference proceedings. An individual of his or her choice may assist the student in the informal conference. The student will remain withdrawn on an interim basis pending completion of the informal conference.
b) A written decision shall be rendered by the dean of student life containing a statement of reasons for any determination leading to involuntary withdrawal. The student also should be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement. The student may appeal the decision to the vice president for student affairs.

9.6 Negotiated Withdrawal
In rare circumstances, a student may be allowed to negotiate a mutually agreed upon withdrawal for a specified period of time. Other conditions may also need to be met prior to application for reenrollment. Such conditions will be provided to the student in writing at the time of the negotiated withdrawal.

This action generally results in no notation on the student's academic transcript; however, in instances involving interpersonal violence or felony level criminal conduct, charged or uncharged, a transcript notation may be applied at the discretion of the dean of student life or designee, "may not register for nonacademic reasons." The dean of student life or designee will determine whether this notation will remain on the transcript, should the student later be readmitted. .

A student requesting readmission will be required to meet with the dean of student life or designee prior to approval of the student's petition for readmission. The student must be academically eligible for readmission to NDSU and may be required to pass a criminal background check at the student's expense prior to readmission.

9.7 Interim Actions
In the interest of safety and security, interim actions may be implemented by the dean of student life prior to a completed investigation or conduct hearing. Specific actions will be based on the circumstances of the allegations and may include, but not limited to no contact orders, housing/workplace changes, loss of privileges, or temporary emergency suspension.

9.8 Crimes of Violence
The term "crime of violence" means:

a) An offense that has an element of use, attempted use, or threatened use of physical violence against the person or property of another, or
b) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

Examples include, but are not limited to, arson, auto theft, assault, aggravated assault, burglary, kidnapping/abduction, manslaughter, murder, resisting arrest through the use or threat of physical force, robbery, vandalism, and sexual offenses.

In cases of crimes of violence, the dean of student life may increase, but not decrease, timelines stated in the code and may determine by whom the case is heard.

9.9 Notification of Hearing Outcomes for Crimes of Violence
Individuals who are victims of crimes of violence have a right to be notified of the outcome of complaint resolution procedures, upon written request to the dean of student life. If the victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Notification shall be limited to the responsible student(s), part(s) of the code violated, and assigned sanction(s). Individuals in receipt of this information may assume personal civil liability for releasing this information to others.

9.10 Incarcerated Students
In cases involving incarceration, a hearing will be held when the student is available for a hearing. Under these circumstances, the dean of student life or designee may determine that an administrative hearing be held rather than a Conduct Board hearing.

X. Conduct Records

10.1 Disclosure
All conduct records are confidential and may not be disclosed in whole or in part except as provided under law, including but not limited to, the Family Education Rights and Privacy Act (FERPA), the USA Patriot Act and lawful court orders.

The conduct record shall be separate from the student's academic record, but shall be considered a part of the student's educational record. All conduct records shall be retained in the Dean of Student Life Office or other offices as authorized by the dean.

As provided under FERPA, information concerning code violations for alcohol and/or drugs may be shared with parents in accordance with the Parental Notification Policy. In addition, code violations may also be shared with some academic departments upon request and as necessary to fulfill their professional obligations. A memorandum of understanding exists that provides for full exchange of information concerning code violations by student athletes with the pertinent coaches and the athletic director.

Suspension and expulsion are the only completed conduct actions reflected on the official academic transcript of the student (see section 7.1). At the direction of the dean of student life, the registrar shall place on the student's permanent academic record the words "may not register for nonacademic reasons." When the student is determined eligible to return to NDSU following a suspension, the original transcript notation will remain and a new transcript notation will be added: "eligible for registration effective …"

10.2 Retention and Destruction

Sanctions Less than Suspension or Expulsion
In cases in which students are found in violation and receive a sanction less than Suspension or Expulsion, with or without additional terms and conditions, all records related to that students' cumulative conduct history will be retained for seven years from the date of the student's last conduct violation. Student conduct records may be retained indefinitely at the discretion of the dean of student life.

Suspension or Expulsion
In cases in which students are found in violation and receive a sanction of suspension or expulsion, conduct records will be retained on a permanent basis.

Student Organization Records
Records of conduct violations involving student organizations will be retained for seven years following the date of the incident. Student organization conduct records may be retained indefinitely at the discretion of the dean of student life.

FINAL NOTE Occasionally there may be a need to update certain details such as changes to staff titles, office locations, etc. that are mentioned in this document. The vice president for student affairs may make editorial changes relating to this document as long as the substance of the document is not affected.

_____

Dean L. Bresciani, President
Effective 9/18/2015

Policy *604* Version 1 *09/30/15*

Policy Change Cover Sheet

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

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

SECTION: 604 Jurisdiction of the Vice Presidents for Student Affairs – Student Behavior Code Violations

55. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change:
        - Housekeeping change updating reference of the Code of Student "Behavior" to the Code of Student "Conduct."

- Based on changes made to Policy 601 (Code was updated to reflect changes required by ND SB 2150), some of the committees or boards are no longer a part of the review process.
    - The law requires that attorneys or non-attorney advocates be permitted to fully participate in student conduct hearings that have potential to result in suspension or expulsion from the institution. This change resulted in removing the board hearing option, and resolving all alleged code violations through an administrative hearing. The formal hearing process remains the same, however language needed to be updated to reflect the change from a 5 member board to a single hearing officer.

56. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 9/30/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 604
JURISDICTION OF THE VICE PRESIDENT FOR STUDENT AFFAIRS - STUDENT CONDUCT CODE VIOLATIONS

SOURCE: NDSU President

1. The Vice President for Student Affairs, pursuant to delegated authority from the President, has responsibility for supervision of the process of handling the University's response to student violations of University rules and regulations, including the ultimate imposition of sanctions. All student non-academic conduct that violates university rules and regulations and conduct occurring off-campus which affects the university is considered a responsibility of the Vice President for Student Affairs.

2. This authority includes the overall supervision of the various administrative committees and boards charged with hearing complaints against students or student organizations for violation of those rules and regulations.

3. Student organizations and university employees are required to inform the Vice President for Student Affairs whenever action is deemed necessary against a student or student organization which may involve the following committees or boards:

    a) Student Government Court;

    b) Inter-Fraternity Standards Board;

    c) Panhellenic Standards Board.

HISTORY:

New	November 1997
Amended	October 1998

Attachment 2

Policy *611* Version 1 *092915*

Policy Change Cover Sheet

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

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

SECTION: 611 Student Travel Policy

58. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping changes as follows:
        - Updating references to Student Code of "Behavior" with Student Code of "Conduct" per Policy 601
        - Replacing the references to "behavior" with "conduct" consistent with Policy 601
        - Updating the title Dean of Student Life with new title, Assistant Vice President/Dean of Student Life

59. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 9/29/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 611
STUDENT TRAVEL POLICY

SOURCE: NDSU President
North Dakota SBHE Policy 512

1. **INTRODUCTION:** This policy defines requirements and expectations for student travel in the interest of promoting and benefiting the health and welfare of students. This policy applies to student travel sponsored by an academic department, university unit, or Congress of Student Organization (CSO) recognized student organizations. Student drivers must comply with the NDSU student travel procedures and ND SBHE Policy 512.

   This policy pertains to student travel within the United States. For information about traveling overseas (Study Abroad), contact the Office of International Programs, and more specifically, the Study Abroad site.

2. **SCOPE:** 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. This policy applies to the travel of enrolled undergraduate or graduate students to attend activities or events that are consistent with the North Dakota State Board of Higher Education (SBHE) Policy 512, applicable state law, and state fleet rules which are:

   a. organized or sponsored by the University; **or**

   b. funded by the University or the NDSU Student Government; **or**

   c. undertaken using a vehicle owned or leased by the University.

   The types of activities and events covered by this policy include course related field trips, and 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 (including, but not limited to, out of town athletic events, or to engage in student-teaching, internships, practicum or clinical experiences, observations or research, unless the research is organized by a member of the faculty).

   Questions about whether or not this policy applies to a particular type of student travel may be directed to the Office of Student Life.

3. **DEFINITIONS:**

   a. An **organized event** is one that is initiated, planned, and arranged by a member of the University's faculty or staff.

   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.

4. **STUDENT TRAVEL:** All student travel must be in compliance with University policy and the NDSU student travel procedures.

   a. 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.
      i. Use of State Fleet vehicles for academic purposes must be authorized by the dean of the respective college.
      ii. Student employees acting within the scope of employment on behalf of NDSU is authorized use.
   b. All participants must be provided information regarding potential risks associated with the trip and travel arrangements. All participants must sign the completed NDSU Student Field Trip Informed Consent, Assumption of Risk and Release form.
   c. Student Responsibilities:
      i. The privilege of traveling on behalf of the university comes with certain responsibilities for individual students.
      ii. Students must make their own arrangements with faculty for missed classes. Faculty members are not required to excuse student absences.
      iii. Students are expected to comply with the NDSU Rights and Responsibilities: A Code of Student Conduct at all times. Concerns regarding inappropriate conduct must be reported to the Assistant Vice President/Dean of Student Life for consultation and resolution. Resolution may involve a conduct hearing upon return to NDSU. The Assistant Vice president/Dean of Student Life or designee, in consultation with the respective academic dean as appropriate, has the right to impose limitations on a student's participation at any time during the planning process or during the trip (i.e. may not drive vehicle). In the event a student's conduct is so disruptive as to require their termination of participation from the trip, the student will be responsible for their own arrangements for returning to NDSU, including, but not limited to, any cost of transportation, lodging, and meals. Removal from the trip does not release a student from their financial obligations for the trip, as agreed to prior to departure.

iv. All student drivers who are duly authorized for State Fleet use must have automobile insurance and must be in good standing with the University system.
v. Student drivers must comply with and enforce the Student Travel procedures.

This policy is in accordance with the North Dakota SBHE Policy 512.

HISTORY:

New June 19, 2014

Policy *713* Version 1 *100215*

Policy Change Cover Sheet

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

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

SECTION: 713 Records Management

61. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change replacing references to University System General Counsel with Assistant Attorney General Assigned to the University, and replacing

62. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted
    - Email address of the person who should be contacted with revisions

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
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SECTION 713
RECORDS MANAGEMENT

SOURCE: NDSU President

I. POLICY and PURPOSE

The policy and purpose for Records Management is to

1. Comply with all applicable state, and federal laws and regulations, specifically North Dakota Century Code 54-46, and the North Dakota State University Records Retention Schedule found on the NDSU Records Management Web site.
2. Establish an efficient University-wide records management system for maintaining, identifying, retrieving, preserving and destroying records through the use of best practices and standards and according to North Dakota Century Code and all applicable federal laws.
3. Ensure that records are adequately protected and/or preserved.
4. Ensure that all records that are no longer needed or of no value are destroyed at the appropriate time.
5. Preserve University history.
6. Limit liability to the University.

I. SCOPE

This policy applies to all records, including all University information and University resources, regardless of format, whether in paper, electronic, microfilm, (e.g., microfilm, microfiche, magnetic tapes, USB flash drive, CD/DVD ROM), electronic mail, or other electronic medium.

1. The North Dakota Century Code (NDCC 54-46-02) defines a record as a "document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business." For records description and series, see the Records Retention Schedule.

III. OBJECTIVE

The objective of the Records Management policy is to assist and provide guidance to the University entities in managing records throughout the lifecycle of the record, i.e., from creation or receipt, use and maintenance stage, and final disposition. Various records

produced in the course of University business must adhere to federal and state laws/regulations including access, storage, retention and disposal.

IV. APPLICABILITY

This policy applies to anyone who creates, disseminates, stores, manages, destroys and/or has access to NDSU records of any type, classification or description. This includes all NDSU employees who have access to records and any external entities such as vendors whose purpose maybe to provide storage space or destruction services for records.

V. RELATED POLICIES AND APPLICABLE STATE LAW

Standards, guidelines and procedures will follow and adhere to all policies and laws listed but not necessarily limited to

- North Dakota Century Code 54-46;
- NDUS Policy 1912 Public Records and related procedures:
    - 1912.1, Information Security Procedures;
    - NDUS 1912.2, Student Records – Directory Information; and
    - NDUS 1912.3, Employee Personal Information;
- NDSU Policy 713.1 Litigation Hold; and
- NDSU Policy 718, Public/Open Records.

VI. RECORDS MANAGEMENT PROGRAM OVERSIGHT

The Records Management Task Force will be responsible for Records Management policy, standards, guidelines, processes and procedures. The task force is comprised of

- One faculty member appointed by the Faculty Senate Executive Committee
- Two unit records coordinators appointed by the Staff Senate Executive Committee
- The University provost and the vice presidents or their designees
- An archivist from the University Archives
- Assistant Attorney General assigned to the University or designee
- The NDSU Chief Information Technology Security Officer who serves as the Director of Records Management (co-chair)
- One Student Government member appointed by the Student Government President
- Associate Director for the NDSU Library (co-chair)
- If any task force member is unable to attend a scheduled meeting, a proxy may be sent in their place.
- Policy amendments/changes and standards and guidelines to be reviewed and approved by the Assistant Attorney General prior to submission for publishing

The NDSU Director of Records Management

- Reports to the Vice President for Information Technology.
- The role of Director of Records Management will include

- Coordinating retention, preservation and destruction processes and procedures for University records in accordance with this Policy and University Records Management procedures and practices
- Assisting the Assistant Attorney General with coordinating efforts to comply and respond to any issued Litigation Hold Notices and public records requests in a timely manner
- Ensuring that all Unit Records Coordinators (URCs) appointed by University units receive ongoing training and education
- Collecting and compiling annual disposal records as submitted by the URCs and reporting those metrics/statistics to the State's Records Management office
- Investigating and reporting on any potential non-compliance to the Unit Administrator and Assistant Attorney General if applicable. Recommend remediation to ensure compliance
- Maintaining an up-to-date list of Unit Records Coordinators and their contact information
- Sharing information as needed and relevant to the Records Management Task Force, and the URCs
- Providing current and updated information on the records management Web site; www.ndsu.edu/recordsmanagement/

The NDSU Records Coordinator

- Appointed by the Vice President for Information Technology
- Works with the Director of Records Management
- Assists the Task Force and the Director of Records Management as needed.

Unit Records Coordinators

- Appointed by their respective department heads.
- Their role will include
  - Providing assistance to faculty, staff and administrators in their units for retention, preservation and destruction of their unit's records in accordance with this Policy's procedures and practices, institutional requirements, and state and federal laws.
  - Serve as the liaison between their unit and the Director of Records Management and the Records Management Task Force
  - Completing continuing education and training on annual basis
  - Submitting records disposal forms to the Director of Records Management as required by policy and state law

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HISTORY:

New	August 20, 1996
Amended	January 22, 2002
Amended	June 11, 2007

Amended	August 1, 2007
Amended	September 2007
Amended	November 2008
Amended	April 2009
Housekeeping	September 2010
Housekeeping	February 14, 2011
Amended	June 11, 2015

Policy *718* Version 1 *100215*

Policy Change Cover Sheet

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SECTION: 718 Public/Open/Restricted Records

64. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change updating the Office of the General Counsel with the Assistant Attorney General assigned to the University

65. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life /Mary Asheim / 10-2-15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 718
PUBLIC/OPEN/RESTRICTED RECORDS

SOURCE: NDSU President
SBHE Policy 1912

Except as otherwise specifically provided by law or this policy, all records of the State Board of Higher Education, the North Dakota University System and its institutions are, pursuant to N.D.C.C. Section 44-04-18, public records, open and accessible for inspection during regular office hours.

Student education records are confidential and access to those records is restricted according to the Family Education Rights and Privacy Act of 1974, as amended (FERPA). Pursuant to FERPA, each institution shall:

a) Adopt a policy as required by 34 CFR Section 99.7;

b) Annually notify students currently in attendance of their rights under FERPA;

c) Except as provided under FERPA and 34 CFR Section 99.31, relating to conditions under which personally identifiable information may be disclosed without consent, obtain a signed and dated written consent of a student before it discloses personally identifiable information from the student's education records;

d) Maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student as required by 34 CFR Section 99.32;

e) Provide the notice required by 34 CFR Section 99.37 concerning disclosure of directory information;

f) Adopt procedures implementing FERPA provisions governing release and transfer of student disciplinary records. Consistent with FERPA, student disciplinary records are confidential and may be released only as permitted under FERPA and implementing institution procedures; and

g) Comply with all other requirements of FERPA and applicable regulations.

NDSU Guidelines:

NDSU provides an annual notice informing students of their FERPA rights which constitutes its FERPA policy. Other provisions related to FERPA rights can be found in Policy 601-Code of Student Behavior.

- Records of former students, including deceased former students, are confidential except that records of deceased former students may be released or disclosed at the request of a parent, personal representative, or other qualified representative of the student's estate, or pursuant to a court order or subpoena.

- Access to and disclosure of campus police records is governed by N.D.C.C. Section 44-04-18.7. Accordingly, active criminal intelligence information and active criminal investigative information are exempt from the open records law. Each campus law enforcement agency shall maintain a list of all files containing active criminal intelligence and investigative information which have been in existence for more than one year, which shall be subject to disclosure under N.D.C.C. Section 44-04-18.

  a) Campus police records which are open and must be disclosed under Section 44-04-18.7 include: arrestee description; facts concerning the arrest; conviction information; disposition of all warrants; a chronological list of incidents, including initial offense report information; a crime summary, including a departmental summary of crimes reported and public calls for service; radio log; and general registers.

  b) Law enforcement records and files concerning a child, as that term is defined at N.D.C.C. ch.27-20, shall be kept separate from the records and files of adults and shall not be open to public inspection and may not be disclosed except according to the provisions of N.D.C.C. ch. 27-20.

  c) Records of undercover law enforcement officers are confidential and exempt from the open records law as provided by N.D.C.C. Section 44-04-18.3.

- Personnel records, other than personnel records that relate to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student, are public records open to inspection by the public. However, pursuant to N.D.C.C. Section 44-04-18.1, employee medical and employee assistance program records are confidential and may not be placed in an employee's personnel file and may not be released without the written consent of the employee. Further, personal information as defined in section 44-04-18.1, including a person's home address, home telephone number, photograph, medical information, motor vehicle operator's identification number, social security number, payroll deduction information, the name, address, phone number, date of birth of any dependent or emergency contact, any credit, debit or electronic fund transfer card number, and any account number at a bank or other financial institution, are exempt from the open records law and may be released only as required by law, pursuant to

an institution policy or with the employee's written consent. Placement of documents in an employee's personnel file is governed by N.D.C.C. Section 54-06-21.

NDSU Guidelines:

a) *N.D.C.C. Section 54-06-21 states that the "official" personnel file is "the file maintained under the supervision of the agency head" or designated representative. At NDSU, the "official file" location is designated as follows:*

Non-Broadbanded employees

Faculty (ranked), lecturers and graduate assistants	*Deans Office*
Extension/Ag. Experiment, Staff	*VP of Agriculture Office*
Other non-broadbanded staff	*Office of Human Resources/Payroll*
All Broadbanded employees	*Office of Human Resources/Payroll*

b) *Official files must include an access record. The access record must contain the date and name of any person viewing the file except when the custodian of the file is inserting salary, insurance medical, tax, Workers Compensation, pretax benefits, deferred compensation information or employment forms pursuant to N.D.C.C. Section 54-06-21.*

- Additional records exempt from the open records law include (without limitation):

  a) Information pertaining to an employee's retirement account balance, disability applications and benefits, and surviving spouse applications and benefits under N.D.C.C. ch. 54-52 or a plan adopted by the board (N.D.C.C. Section 54-52-26);

  b) Certain economic development records (N.D.C.C. Section 44-04-18.2);

  c) Trade secret, proprietary, commercial and financial information (N.D.C.C. Section 44-04-18.4 and SBHE Policy 611.6);

  d) Computer software programs or components for which a copyright, patent or license is acquired (N.D.C.C. Section 44-04-18.5);

  e) Attorney work product (N.D.C.C. Section 44-04-19.1);

f) Social security number, which is confidential under N.D.C.C. Section 44-04.28

- Copies of records not exempt from section 44-04-18 shall be provided upon request. Copies shall be made of records and documents in the form filed or kept in the normal course of business and employees are not required to retrieve and collate or summarize data or prepare other special reports or documents not required by law or otherwise prepared in the normal course of business. A fee for allowing access to documents may not be assessed; however, each institution shall establish and collect a fee to cover reasonable copying costs, including reasonable cost of computer generated documents. The fee for standard paper copies may not exceed twenty-five cents per copy as provided under section 44-04-18. A fee not to exceed twenty-five dollars per hour, excluding the first hour, may be charged per request for locating records if locating the records requires more than one hour or for excising confidential or closed material if excising the material requires more than one hour. Access to electronically stored records is free if the records are recoverable without the used of computer backup; if a request is made for access to a record on a back-up or for a copy of an electronically stored record an additional reasonable fee may be charged to cover costs attributable to the use of information technology resources.

NDSU Guidelines:

a) NDSU departments may charge a fee up to twenty-five cents per page for paper copies provided to persons requesting copies under the Open Records Act. A reasonable fee can be charged for electronic copies as well as costs for the use of technology resources. A fee of up to $25/hour, excluding the first hour, can be charged for locating records or redacting information that is not open.

b) Monies collected from the persons making such requests must be deposited at the NDSU Customer Account Services Office at least weekly, daily if amounts collected are $200 or greater (see policy 508.)

c) *Responses to open records requests, other than routine requests in the normal course of business in an office or department, shall be coordinated through:*

1. *From the media: The Office of the Vice President for University Relations.*

2. *From other sources: The Assistant Attorney General assigned to the University.*

d) State law mandates that responses to open records cannot be unreasonably delayed, so that such requests must be given a high priority.

NDSU Policy on Restricted Personally Identifiable Information

a) *North Dakota State University recognized that it collects and maintains confidential/sensitive information relating to its students, employees, and individuals associated with the university and is dedicated to ensuring the privacy and proper handling of this personally identifiable information (PII).*

b) *Social Security Numbers (SSN) and other restricted personally identifiable information are confidential and legally protected data. The university is committed to maintaining the privacy and confidentiality of an individual's personally identifiable information including, but not limited to, Social Security Numbers. Therefore, the use of the SSN as an identification number shall be limited.*

c) *NDSU recognizes the use of the North Dakota University System ID number (EmplID) as the primary identification number for students, employees, and any person with a recurring business, educational, and/or research relationship with NDSU.*

d) *The Federal Privacy Act of 1974 and related amendments establish guidelines regarding state agency requests for the social security number. It is the duty of the university to inform individuals whether a given use of social security numbers is mandatory and the legal authority therefore, the principal purpose(s) for the request, and the effects of not providing it. Data confidentiality is also mandated by NDCC sec. 44-04-28, 44-04-18.9 and 44-04-27; NDUS Procedure 1901.2 and its NDUS Data Information Technology Security Standard; other state and federal laws and regulations; system and NDSU policies, and various industry regulations.*

e) *This policy and derived procedures provide guidelines and procedures on the proper use and disclosure of Social Security Numbers and other restricted PII such as credit/debit card numbers. Goals of the policy and procedures are to:*

   i. *Eliminate use of the SSN as a publicly visible identification number for university-related business transactions.*

   ii. *Increase awareness of the confidential nature of restricted PII such as Social Security Numbers and credit/debit card numbers.*

   iii. *Reduce reliance upon the SSN for identification purposes.*

   iv. *Ensure appropriate and consistent handling of SSNs and other restricted PII throughout the university.*

   v. *Provide for assessments and audits of processes, applications, or systems used by or for NDSU entities. The assessments will be done by the NDSU IT Security Officer and the NDSU Audit and Advisory Services office. Audits will be done by Audit and Advisory Services.*

f) Procedures and materials required to support and enforce this policy will be developed and maintained by the NDSU IT Security Officer and the NDSU Audit and Advisory Services Office.

HISTORY:

New	May 1998
Amended	April 2003
Amended	October 2005
Amended	October 2007
Amended	November 2008

Policy *806* Version 1 *10/05/15*

Policy Change Cover Sheet

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

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

SECTION: 806 Allowable Cost Policies – Summer Salary for Faculty and Staff

67. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
    - Is this a federal or state mandate? ☐ Yes ☒ No
    - Describe change: Housekeeping change removing reference to the Vice President for Academic Affairs Office and the Equity, Diversity and Global Outreach Office

68. This policy change was originated by (individual, office or committee/organization):
    - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/5/15
    - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 806
ALLOWABLE COST POLICIES – SUMMER SALARY FOR FACULTY AND STAFF

SOURCE: NDSU President

1. Faculty or staff members on less than twelve month appointments working on sponsored agreements during the break in their contract dates are entitled to collect salary for the percentage of time worked. Individuals employed during the break in contract dates may, to the extent allowed by the funding agency, receive compensation up to the equivalent of their current base salary per pay period. Less than full-time employment during the break in contract dates will be compensated accordingly.

2. If a faculty member is working on a sponsored agreement for more than one month, the salary earned for the summer must be collected in installments equal to the percentage of time worked each month.

3. All salary earned during the summer will be paid by use of a Change Form 101. Change Forms must be signed by the Department Head, Dean and the Provost.

4. Change Forms for the break in contract dates are processed in the same manner as all other payroll forms. Forms for the 1st - 15th of the month are due the 15th and will be paid on the last working day of the month. Forms for the 16th - last working day are due the last working day and will be paid on the 15th of the following month.

Disclaimer: *Please note that this policy not only applies to summer salary, but also for other times when there is a break in contract dates.*

HISTORY:

New	July 1990
Amended	April 1992
Amended	August 2007
Amended	December 2009

Policy Change Cover Sheet

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SECTION: Policy 133.1 Tuition Waiver – Spouse/Partner and Dependents

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Adding clarifying language to policy regarding use with other tuition waivers, specific programs and removing the in or out of state tuition waiver information.
   -

2. This policy change was originated by (individual, office or committee/organization):
   - HR/Payroll & Customer Account Services April 22, 2015
   - Brittnee.nikle@ndsu.edu and Karin.Hegstad@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	5/8/2015
Faculty Senate:	
Staff Senate:	5/14/2015
Student Government:	5/14/2015
President's Cabinet:	

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

North Dakota State University
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SECTION 133.1
TUITION WAIVER – SPOUSE/PARTNER AND DEPENDENTS

SOURCE: NDSU President
SBHE Policy Manual, Section 820.1

The North Dakota State Board of Higher Education allows campuses to adopt tuition waivers which are consistent with an institution's mission. The spouse/partner and dependent tuition waiver is intended to help recruit and retain faculty and staff who can best perform or support the teaching, research and public service mission of the University.

1. The spouse/partner and dependents of regular (broadbanded staff must be off probation), benefitted NDSU employees are eligible for the waiver effective Fall 2002.

1.1 Dependents are defined as those unmarried children (25 years of age or under if they are a full-time student, otherwise age 22 and under), who rely on the parent(s) for significant financial support.

1.1.1 A spouse/partner or dependent who is also a regular, benefitted employee is only eligible for the employee tuition waiver outlined in Section 133 (Educational Policy).

1.1.2 A spouse/partner or dependent who is eligible for this educational benefit is not eligible for the graduate assistant tuition waiver, the cultural diversity tuition waiver or other waivers which may duplicate benefits.

1.2 Partners are those who have completed and filed a Declaration of Domestic Partnership for Purpose of Tuition Discount Eligibility http://www.ndsu.edu/forms/ or https://www.ndsu.edu/fileadmin/hr/docs/Declaration.pdf with the Office of Human Resources/Payroll.

1.3 The spouse/partner and/or dependents must meet admission standards and register for classes through regular registration procedures.

1.4 The employee must be actively employed on the first day of each semester to be eligible for the waiver.

2. The tuition waiver is 50% of the tuition for NDSU classes (excluding internships that require tuition to be paid to the site for student placement and Professional Development non-degree eligible courses) per spouse/partner or dependent.

2.1

2.1 The maximum waiver for the spouse/partner or dependent of more than one eligible employee is 50%.

2.2 Fees are not waived.

2.3 The waiver applies to undergraduate, professional (Pharmacy) and graduate level classes.

2.4 Early Entry students will be eligible according to the terms of this policy.

3. Procedure

3.1 A Spouse/Partner and Dependent Tuition Waiver application needs to be submitted to the Office of Human Resources/Payroll by the Monday two weeks prior to the start of classes for which the waiver is requested. Given that conditions in this policy may change, it will be necessary to review the conditions of eligibility each term.

3.2 Proof of marriage, domestic partnership, and/or dependency may be required.

3.3 In accordance with federal regulations, the tuition waiver will be used as a financial resource and become part of the student's financial aid package. The Student Financial Services Office may need to adjust aid if the amount of the tuition waiver, along with other financial aid, exceeds the total cost of attendance.

3.4 No employee, spouse/partner or dependent who has an overdue accounts receivable balance with the University may receive a spouse/partner and dependent tuition waiver.

3.5 In accordance with IRS regulations, the value of the tuition waived for graduate level classes will be considered taxable income to the employee. Federal, state and social security taxes will be deducted in a lump sum from the employee's last paycheck of the semester, or, at the employee's written request, deducted on a prorated basis throughout the semester.

HISTORY:

New	April 2002
Amended	July 2003
Amended	April 2005
Amended	October 18, 2010
Housekeeping	November 17, 2011
Housekeeping	July 29, 2013
Amended	March 23, 2014
Amended	November 7, 2014
Housekeeping	January 2, 2015

Policy Change Cover Sheet

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SECTION: 152 External Professional Activities

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Delete section 3.3 because Chief of Staff and Provost said subpoenas should be reported in all cases, not just with consulting activities, so this statement does not belong in Policy 152. Also made housekeeping change to title of Provost in section 5.1.1.

2. This policy change was originated by (individual, office or committee/organization):
   - Charlene Wolf-Hall, Vice Provost, Office of the Provost
   - Charlene.hall@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

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SECTION 152
EXTERNAL PROFESSIONAL ACTIVITIES

SOURCE: NDSU President
NDSU Faculty Senate

1. INTENT

1.1 North Dakota State University, within stated guidelines, encourages employees to participate in professional activities providing information, advice, or services to those outside of the University as a means of gaining additional professional experience and maintaining professional competency within their specialized disciplines. Participation in external professional activities is expected to contribute to the mission of the University.

1.2 Acceptance of full-time employment at NDSU carries a commitment to the University that is understood to be full-time in the most inclusive sense. Full-time faculty and staff ("Employees") are expected to devote their primary loyalty and energy toward meeting their instructional, research, service, and administrative duties. External activities and financial interests must not interfere with the expected primacy of these commitments, nor present a conflict-of-interest to the University, nor create a public relations problem for the University. Prior to accepting appointments, engaging in a business, or otherwise diverting their attention from university duties, employees must make disclosure of the activity and, if appropriate, obtain approval.

1.3 Approval to participate in external professional activities does not permit use of the University's name in any announcement, advertisement, publication, or report if it implies University endorsement of a product or service. The University does not assume any responsibility for the professional services rendered during an external professional activity.

2. PROFESSIONAL SERVICE WITHOUT REMUNERATION

2.1 Employees of NDSU are often asked to participate in professional, discipline-related activities, such as officers of national organizations, journal editors, editorial boards, etc. Such participation is viewed as desirable, and University approval to engage in these activities is necessary only if

substantial use of University facilities or resources will be needed for support of these activities.

3. EXPERT TESTIMONY

3.1 Because of their unique expertise, faculty or staff may be asked to serve as expert witnesses in a court of law. Because of the nature of the legal process, such activity may place the University employee in an unintentional adversarial position.

3.2 Therefore, University employees are encouraged to appear as "juris amici" (friend-of-the-court) instead of as expert witnesses representing one party. If a University employee serves as an expert witness for compensation, the University Consulting Form must be completed and approved, and the consulting guidelines apply.

4. PROFESSIONAL SERVICE WITH REMUNERATION (HONORARIA)

4.1 University employees are encouraged to provide public service by making presentations to various groups and organizations or serving on proposal review committees. Often the employee may be given an honorarium in appreciation of such service.

4.2 An honorarium is defined as a monetary gift which is meant to express appreciation or honor to the recipient which is not covered under the consulting policies.

4.3 Employees can accept honoraria from non-NDSU or non-State (North Dakota) related entities. Unless the consulting policy applies, employees shall regard the services for other departments within the University or for other state agencies or entities for which they might receive honoraria as part of their public service obligation and refuse or return such honoraria.

5. PROFESSIONAL SERVICE WITH REMUNERATION (CONSULTING)

5.1 Employees of NDSU are often requested to provide professional expertise as consultants to private agencies, governmental (state and national) agencies, industries, or individuals for which they receive remuneration or retainer fees. In general, the following policies must be followed when participating in consulting activities. For purposes of this policy, teaching a course or teaching a substantial portion of a course for another educational institution or other business or organization shall be treated as

consulting and governed by this policy. This policy applies to both teaching in person or by means of an electronic communication.

5.1.1 Consulting by employees in areas related to their academic discipline may be performed only after **prior** approval by the line of administration through the appropriate Vice President. For example, faculty need the approval of the chair, dean, and Provost. In addition, those faculty with a major Experiment Station or Extension Service appointment also need the approval of the appropriate Director and the Vice President for Agriculture and University Extension. Employees with full-time Agricultural Experiment Station positions (e.g., branch stations) or full-time, off-campus Extension appointments, approvals are required from the appropriate Director and Vice President for Agriculture and University Extension. Staff would need the approval of the appropriate Vice President. Vice Presidents and members of the President's staff require the approval of the President. Decisions for such approval will depend upon the nature of the employment responsibility to the University and the conditions of employment. Approval may only be granted for periods up to the maximum of one year. Approval must be sought each year if any activity extends beyond the one year maximum.

5.1.1.1 *Any consulting agreement which attempts to assign ownership rights in intellectual property or provides that the ownership rights will belong to a third party and which arise in an area related to the employee's academic discipline or work at the University must be submitted for review and approval by the University. The reason is to protect the interests of the University in any employee invention or other discovery. Unless otherwise expressly authorized, employees have no authority to assign any ownership rights in any invention or discovery which may arise out of or relate to their work at the University or the use of any University property or equipment.*

5.1.2 The consulting activity must not interfere with normal duties or activities.

5.1.3 The consulting activity must not represent an actual or potential conflict-of-interest.

5.1.3.1 If so, it must be resolved before engaging in the consulting activity.

5.1.4 The consulting activity must not compete directly with University sponsored services. Because of the land grant mission, fees should not be charged for consulting with North Dakota clients when the same services are provided by a defined program or staff function at NDSU.

5.1.5 The time limit on the consulting activity is limited to the equivalent of one day per week, during the contract period at NDSU, and consulting should not be performed on a regular, ongoing basis. In addition,

5.1.5.1 individuals should keep a record of time spent consulting;

5.1.5.2 travel time, office visits, correspondence, telephone calls, and other on campus consultation related activities are included in the time committed to consulting;

5.1.5.3 consulting conducted outside the regular work week is not counted as part of consulting time; however, the same policies and procedures for disclosures and approval apply;

5.1.5.4 the consulting activity should not require an absence from campus longer than 10 consecutive working days without special approval.

5.1.6 Consultants must make clear that they are not representing the University or that the name and authority of University are in no way connected with service rendered, and that reports cannot be made on University stationery.

5.1.7 Travel Authorization forms must be filed as necessary.

5.1.8 Special approval must be obtained in advance for the use of University facilities and resources which may require payment of a reasonable fee, and the individual is responsible for payment of these

fees. If University facilities or equipment is used, proof of professional liability insurance coverage for consulting activities may be required.

5.2 Grievances for matters involving this policy shall follow the appropriate grievance procedure (faculty, policy 353; staff, policy 230).

5.3 Approval for consulting or other external activities may be revoked if unforeseen problems occur after the initial approval. The revocation of approval may be appealed in the same manner as a denial.

5.4 Failure to follow this policy will be reported to the President who may impose sanctions that are appropriate to the seriousness of the violation.

6. RESPONSIBILITIES

6.1 Individual

6.1.1 obtain prior approval, completing Consulting Authorization Request form prior to initiation of consulting activity;

6.1.2 ensure that activity does not conflict with primary responsibilities;

6.1.3 ensure activity does not pose an actual or potential conflict-of-interest;

6.1.4 maintain appropriate records of consulting activities;

6.1.5 do not use College or University endorsement;

6.1.6 secure advance approval to use University equipment, and make any necessary payments;

6.2 Department Chair, Director

6.2.1 evaluate all requests for interference with normal duties or conflicts-of-interest;

6.2.2 identify and resolve any actual or potential conflicts-of-interest;

6.2.3 review requests to determine that they meet policies of University;

6.2.4 forward recommendation to Dean;

6.2.5 ensure activities are reviewed annually.

6.3 Dean, Director

6.3.1 review recommendation from Chair;

6.3.2 review any special circumstances;

6.3.3 forward recommendation to the appropriate Vice President.

HISTORY:

New	September 1995
Amended	November 1997
Amended	February 1998
Amended	September, 1995
Amended	October 2000
Amended	October 2003
Amended	October 2007
Amended	January 2008
Housekeeping	February 14, 2011

Policy Change Cover Sheet

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

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

SECTION: *337 Grade Appeals Board*

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - *Changes are being made to clarify the process and eliminate ambiguous language.*

2. This policy was originated by (individual, office or committee/organization):
   - *Provost's Office ((Charlene Wolf-Hall))*
   - *Charlene.hall@ndsu.edu*
3. This policy has been reviewed/passed by the following (include dates of official action):

This portion will be completed by Melissa Lamp

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

If you have any questions regarding this cover sheet, please contact Melissa Lamp at 1-6133 or Melissa.lamp@ndsu.edu.

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

North Dakota State University Policy Manual

SECTION 337 GRADE APPEALS BOARD

SOURCE: NDSU President Faculty Senate Policy

The Grade Appeals Board purpose and membership are established in Part XI of the Faculty Senate Bylaws.

GRADE APPEALS BOARD PROCEDURES AND PREREQUISITES FOR APPEAL:

1. The Board may be utilized only after the student has exhausted all possible appeal routes within the college offering the course involved. Each individual college will be expected to specify such appeal routes, but the following guidelines should be adhered to as closely as possible and will apply in the absence of any specialized procedures.

The academic freedom of instructors is acknowledged in this policy and as such, the evidence for overturning a grade assigned by an instructor must be overwhelming and clearly demonstrate that the instructor used inappropriate or irrelevant factors in determining a course grade. Situations in which a student might consider an appeal include but are not limited to the following:

- perceived violations of the grading policy, as stated in the course syllabus
- other violations of NDSU policy pertaining to student grading
- influence of irrelevant factors such as race, sex, or personal animosity
- erroneous grading (e.g. mathematical error)
- inequitable grading
- medical or other hardship that 1) could justify either a course grade of "incomplete" or exemptions from specific grading components in the grade computation, and 2) was communicated with the instructor in a timely manner when the issue(s) arose.

Grade assigned as a result of Policy 335: Code of Academic Responsibility and Conduct may not be appealed using this policy and its processes.

a. A student who disputes an assigned grade may initiate a request for a change of a grade with the instructor within fifteen (15) instructional days of the first day of the semester immediately following the semester in which the grade was awarded. For Spring Semester courses, the request must be made within fifteen (15) instructional days of the start of Fall Semester.

An appeal is deemed formally initiated when the student presents the Grade Appeal Form to the instructor. The Grade Appeal should also include the following as supplementary material:

- the course syllabus including grading procedures
- the grade originally assigned and the requested grade change
- the justification for the proposed grade change based on the specific disputed criterion (e.g. an assignment, project, or exam grade) and the grading system outlined in the course syllabus.

The instructor must date and initial the form upon receipt. Within five (5) instructional days, the instructor shall inform the student, via NDSU email, of his/her decision, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, date and sign the Form. If the appeal is approved, the form along with a memo and/or Grade Reporting Form indicating the

new grade shall be returned to Registration and Records. If the appeal is denied by the instructor, the Form is returned to the student to proceed to the next level if desired.

b. If there is an unsatisfactory decision at the instructor level, the student may present the appeal to the department chair/head within five (5) instructional days. The chair/head should return his/her decision on the appeal to the student. If the instructor is also the department chair/head or dean, he or she need only be consulted in the capacity of instructor and the appeal may be continued at the college level.

c. If an unsatisfactory decision is rendered at the department level, the student may proceed to the college dean within five (5) instructional days.

d. At each stage, the individual considering the appeal shall inform the student and instructor of his/her decision within five (5) instructional days, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.

e. Both the instructor and the student shall have the right at any time during the proceedings to call a meeting of all persons involved in submitting and considering the appeal and, optionally, to invite the Board to send an observer to that meeting.

f. In the event that the instructor is on leave from the University, the instructor may designate another faculty member from within the department to represent his/her interest in the grade appeal. If the instructor is no longer employed by North Dakota State University, or is not available to designate a substitute, the department chair/head shall represent the absent faculty. If the department head cannot act impartially, a substitute shall be designated by the dean.

2. In the event of an unsatisfactory decision at the college level, the student may submit a formal written appeal to the Grade Appeals Board Chair. Such an appeal shall be made within fifteen (15) instructional days after conclusion of the college proceedings as stated above.

3. A college dean or a department chair/head, with approval of the college dean, may change a grade without the instructor's approval in extraordinary circumstances. Such circumstances include avoiding a clear injustice or mistake (e.g., a clear mathematical error, violation of policy, or instructor refusal to respond to inquiries about the grade). In such cases, a note of record explaining the basis for the decision and the new grade shall be filed with the Registrar. An instructor can appeal such a grade change to the Grade Appeals Board pursuant to this Policy. Colleges can adopt procedures to implement this subsection.

4. The Grade Appeals Board Chair will handle appeals that proceed to that level.

5. In case of student appeal to the Grade Appeals Board, the Chair will send a copy of the appeal documents to the instructor within ten (10) instructional days. The instructor will have fifteen (15) instructional days to respond directly to the Board Chair with any additional information regarding the student's appeal.

6. The Board Chair will then distribute copies of the appeal document and the instructor's response to all Board members and the instructor within five (5) instructional days. If a Board member is unable to participate in the proceedings, his or her alternate will act for the member.

7. Each Board member (or alternate) must inform the Board Chair in writing within five (5) instructional days indicating whether there is a need to hold a meeting to discuss the appeal. If at least two-thirds of the members indicate that the student has not made a legitimate case for appeal, the appeal is denied and the student is notified, through NDSU email, within five (5) instructional days of the Board's decision. Otherwise, the Chair will schedule a meeting of the Board within ten (10) instructional days.

8. A quorum for the meeting will consist of at least 50% of the faculty members and at least 50% of the student members. At this meeting, the Board will raise any questions unanswered by the appeal and instructor's response. The Board will then vote to decide whether to hold a hearing based on the evidence presented by the student and instructor. A hearing will be scheduled within fifteen (15) instructional days if a majority of members present vote to hold a hearing. If the appeal is denied, the Board Chair may provide a brief explanation for the decision.

9. If the Board decides to hear the appeal, it shall provide the instructor and student with a copy of any written statement provided to the Board by the other party.

10. If an appeal is made by the instructor of the course against the grade change instituted by the chair/head or the dean, the instructor will have recourse to the same procedures outlined for student appeal in 337.7.8.9.

HEARING PROCEDURES

1. General Provisions

a) If the Board decides to hear an appeal, it shall designate from among its total membership a panel of seven members to hear the appeal. Four members of the panel shall be chosen by lot by the Board Chair from the faculty membership of the Board, and two additional members of the panel shall by chosen by lot by the Board Chair from the student membership of the Board. The seventh member of the panel shall be the Board Chair, who shall serve as a non-voting moderator of the hearing panel. In order to avoid any conflict of interest, a board member who believes that he/she may not be able to hear a case fairly shall recuse himself/herself and shall be replaced by his/her alternate. Both the student and the instructor shall be informed of the members slated to serve at the hearing. The student and the instructor shall each have one peremptory challenge to remove a board member from service on the hearing panel. A challenged board member shall be replaced by his/her alternate. In the event that a challenged board member is an alternate, another member of the board shall be chosen by lot to serve on the hearing panel. The word "Board" shall be used hereafter in these hearing procedures to describe the seven-member hearing panel so elected, or the full Board, in the event it decided to hear an appeal of a hearing panel decision.

b) All hearings are normally open only to those people who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the student, instructor, and Board Chair. Because the hearing involves non-directory academic record information, as defined by the Family Educational Rights and Privacy Act of 1974, it is not open to the public and the content may not be further disclosed without explicit written consent of the student involved.

c) The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings and advise

his/her party. Unless allowed by the Board Chair, the advisor/counsel will not be permitted to address the Board or witnesses.

2. Evidence. Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all reasonable and relevant information to be presented for the Board's consideration.

a) The Board shall allow an initial presentation by the student and then by the instructor involved (or by the instructor and then by the student, in case of instructor appeal), after which it may call on such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.

b) Hearsay evidence is permitted; the members of the Board may consider such evidence and assign it any weight appropriate by each individual Board member.

c) An absolute right of cross-examination is not granted under this policy. All questions will be directed through the Board Chair. The Board Chair will allow all relevant and reasonable questions to be placed to either party or their witnesses, but retains the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude by the Board Chair to respond to those questions fully.

d) Either party or their witnesses before the board will be permitted to elaborate on written documents previously submitted to the board in their oral presentations to the board.

e) Parties planning to bring exhibits to a hearing must generally provide copies of those exhibits to the other parties and the members of the board five (5) instructional days prior to the hearing to allow for a review of exhibits and the development of any pertinent questions. The Board Chair may permit deviations to this time restriction so long as the other party has sufficient time to prepare an adequate response. f) The Board Chair shall have the right to exclude from the hearing and the record any unreliable, biased or redundant evidence.

g) On questions requiring academic expertise, the Board shall rely heavily on the testimony of other members of the department involved, or throughout the NDSU academic community.

h) In reaching a decision the board shall consider only information produced at the hearing and will evaluate the information using the "more likely than not" standard of proof. The burden of proof shall be on the student to establish that his/her grade should be changed, or on the instructor that the original grade should be retained.

i) All hearings of the board will be recorded up to the point of the board's deliberations necessary to render a decision. A copy of the recording shall be retained in the Office of the Provost for a period not less than three (3) years. The board will allow controlled access to the record for review or transcription by either the student or the instructor.

3. Hearing outline.

a) The Board Chair will call the meeting to order and will introduce the members of the board and their function within the University community.

b) The Board Chair will describe the general outline of the hearing and read the evidentiary rules to the board. The Board Chair will read the following honesty statement.

"The University expects that all information presented in this hearing will be true and correct to the best of each person's knowledge. If a student willfully provides false information, he/she will be in violation of NDSU's Code of Student Behavior. As a result, he/she may be subject to disciplinary action. Dishonest behavior by any faculty or staff member will be reported to that person's supervisor for any necessary disciplinary action."
All potential witnesses will be advised of this honesty statement in advance.
c) The Board Chair will excuse witnesses from the room at this point.

d) The Board Chair will introduce the student/instructor who will present the appeal and any evidence.

e) The Board Chair will introduce the instructor/student who will respond to the student's/instructor's appeal and present any additional evidence.

f) The student or the instructor will be allowed to present witnesses, who will be allowed to make statements and may be asked questions by the student, instructor, and/or members of the Board. Questions by both parties must be directed to the Board Chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

g) The instructor or the student will be allowed to present witnesses, who will be allowed to make a statement and may be asked questions by the student, instructor and/or members of the Board. Questions by both parties must be directed to the Board Chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

h) The board may compel the attendance of any essential witnesses from the NDSU academic community to present testimony. Such witnesses will be allowed to make a statement and may be asked questions by the student, instructor, and/or members of the board. Questions by both parties may be directed to the Board Chair, who will then determine whether the question is relevant to the proceeding, ask whether the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

i) Final questions will be permitted by the members of the board, who may question either party and/or their witnesses.

j) The student shall have an opportunity to make a closing statement.

k) The instructor shall have an opportunity to make a closing statement.

l) Both parties and their witnesses will be dismissed for deliberations by the Board and recording will stop at this point. Only board members, the Board Chair, and the Board's counsel/advisor (if designated) may be present during deliberation.

m) The voting members of the Board will determine, by two-thirds majority vote, if the student's/instructor's appeal should be granted. If the student's/instructor's appeal is granted, the Board Chair shall propose upholding the instructor's original grade, in case of instructor's appeal, or a revised grade in case of student appeal. A second vote shall then be held to determine by two-thirds majority vote whether the
original, proposed, or alternate grade be accepted by the Board. The grade determination process shall be repeated until the board either approves a grade by a two-thirds majority in case of student appeal, or sustains the original grade in case of instructor's appeal. All votes shall be conducted by secret ballot.

n) The Board Chair will send a written notice of the board's findings to the student, instructor, department head, and dean within ten (10) instructional days of the hearing. If the board votes to change the student's grade, notice shall also be sent to the University Registrar regarding the grade change. If the original grade is retained, the relevant parties, including the Registrar, will be notified. The written notice shall include an explanation of the board's rationale in making its decision and a signed copy of the Grade Appeal Form attesting to the board's decision.

4. The Board may not release any information about its investigation to anyone but the parties directly involved. All Grade Appeals information is confidential and may not be disclosed in whole or in part except as provided under the Family Education Rights and Privacy Act (FERPA) or other applicable law or policy.

APPEAL

Either the student or the instructor may request within fifteen (15) instructional days of a hearing panel decision, that the full Board hear an appeal from the decision, citing the material error(s) of process or procedure that could have affected the outcome by the hearing panel that would justify a new hearing. Appeals of outcome are not permitted. The Board shall meet to consider such a request, but no voting member of the hearing panel shall be eligible to vote on granting a new hearing. Instead, alternate members shall replace those Board members who served on the hearing panel. If a majority of the full Board votes to accept the appeal, it shall proceed to hold a hearing in accordance with the hearing procedures above, again using alternate members in place of those who served on the hearing panel. The Board Chair shall serve as a non-voting moderator at the appeal hearing, and a two-thirds vote by secret ballot of the full Board shall be required to uphold the student's appeal and approve a change in grade or to uphold the instructor's appeal and approve a grade change to what was originally posted. A separate simple majority vote shall determine what the student's new grade shall be.
The decision of the Board is final.

HISTORY: New May 15, 1972
Amended May 1986
Amended April 1992
Amended April 2000
Amended April 2001
Amended March 2002

Amended December 2006
Amended October 2007
Amended February 2008
Amended June 2009
Housekeeping August2009
Housekeeping February 14, 2011
Housekeeping May 31, 2011
Amended November 07, 2011

Policy Change Cover Sheet

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

SECTION: 350.1 BOARD REGULATIONS ON ACADEMIC FREEDOM AND TENURE; ACADEMIC APPOINTMENTS

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes X☐ No
   - Describe change: Change the language to allow research professorships at the ND Agricultural Experiment Station Research and Extension Centers to be paid on state-appropriated monies. (Right now the policy restricts this title to individuals paid exclusively with grant funds.)

2. This policy change was originated by (individual, office or committee/organization):
   - Office of the Vice President for Agricultural Affairs/Greg Lardy, Associate VP, May 20, 2015
   - Email address of the person who should be contacted with revisions: Gregory.lardy@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 350.1
BOARD REGULATIONS ON ACADEMIC FREEDOM AND TENURE; ACADEMIC APPOINTMENTS

SOURCE: SBHE Policy Manual
Section 605.1, 605.2, 605.3, 605.4
NDSU President

1. General Principles

   a) A college or university is a forum for ideas, and it cannot fulfill its purpose of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. Academic freedom and tenure are both important in guaranteeing the existence of such a forum. This policy is intended to enable institutions under the authority of the Board to protect academic freedom.

   b) The purpose of tenure is to assure academic freedom. Academic freedom applies to all scholarly pursuits. Freedom in scholarship is fundamental to the advancement of knowledge and for the protection of the rights of the faculty members and students. It carries with it duties and responsibilities correlative with rights. These duties and rights are set forth in policy 401.1, relating to Academic Freedom, and the **1940 Statement of Principles on Academic Freedom and Tenure** (Rev. 1990), adopted by the American Association of University Professors and the Association of American Colleges. These policies apply to all institution faculty unless otherwise indicated.

   c) Tenure is awarded by the Board upon recommendation of the Chancellor, following review and recommendations made pursuant to the procedures established at the institution and a recommendation by the institution's president to the Chancellor. A favorable recommendation means that the applicant meets all of the prerequisites and criteria and the award of tenure is consistent with the sound fiscal management and academic priorities of the institution and the system of education under the control of the Board. Tenure recommendations submitted to the Board shall include a brief summary of the candidate's qualifications and reasons for the recommendation. Tenure is not an entitlement, and the granting of tenure requires an affirmative act by the Board. Tenure is limited to the academic unit or program area in the institution in which tenure is granted and shall not extend to an administrative or coaching position.

2. Definitions of terms used in sections 605.1, 605.2, 605.3 and 605.4 of Board Policy (350.1, 350.2, 350.3, 350.4 NDSU Policy Manual):

    a) "Academic Year" means the period, approximately nine months in duration, starting with the beginning of the Fall semester and ending following completion of the Spring semester.

    b) "Board" means the North Dakota State Board of Higher Education.

    c) "Faculty" means all members of the academic staff, excluding only coaches and administrators in their capacities as coaches or administrators.

    d) "Receipt" means either actual or constructive receipt. Constructive receipt means the sending party has taken all reasonable steps to ensure that the receiving party has received actual notice.
    "Academic unit or program area" shall be defined as the department or comparable unit. Comparable unit shall be determined by the President after consultation with relevant department, college, and university faculty and representatives.

    "Head of an academic unit" shall be defined as the department chair or equivalent administrative appointment. Equivalent administrative appointment includes faculty coordinating a program area who have administrative responsibility for evaluating probationary and tenured faculty and making recommendations for tenure, promotion, renewal or nonrenewal, dismissal, or termination.

3. General Procedures

    a) Because of the variety of scope and organizational structure of the institutions under the control of the Board, the faculty governance structure at each institution, in accordance with section 305.1 of these policies, shall recommend procedural regulations to the president to implement policies 605.1, 605.2, 605.3 and 605.4, including:

    The faculty governance structure at North Dakota State University is the University Senate.

        1. Procedures for continuing evaluation of both probationary and tenured faculty members; and

        2. Criteria and procedures by which faculty members are evaluated and recommended for tenure.

        Procedures for the continuing evaluation of both probationary and tenured faculty members, and criteria and procedures by which faculty members are

evaluated and recommended for tenure are published in the NDSU Policy Manual, Section 352.

b) The criteria for tenure evaluation and continuing evaluation of probationary and tenured faculty shall include scholarship in teaching, contribution to a discipline or profession through research, other scholarly or professional activities, and service to the institution and society. Institutions may adopt additional criteria. The regulations defining these criteria shall be consistent with the nature and mission of the institution.

1. Institutions shall establish various tenure "plans" appropriate to the diverse missions of individual institutions, designed to encourage emphasis on research, scholarship in teaching (including, for example, utilization of technology in teaching and innovative teaching methods), service (including, for example, technology transfer and economic development) and other areas of emphasis. Institution regulations shall include guidelines for determining weight to be given each of the criteria for tenure evaluation and continuing evaluation. The guidelines shall provide for varying emphasis on the enumerated criteria based upon the faculty member's plan, the needs of the institution and the background, abilities and interests of the faculty member.

2. Tenured and probationary faculty contracts shall identify the faculty member's tenure plan and describe the faculty member's duties and goals. The contracts shall specify the weight to be given the criteria for evaluating performance. The contract provisions shall be reviewed and, when appropriate, revised as a part of the faculty member's periodic evaluations.

c) Eligibility for tenure requires a probationary period of six years of continuous academic service to the institution, during which the faculty member is evaluated at least annually according to an evaluation process designed to foster continuous improvement. The term may be extended beyond six years or the continuous service requirement may be waived in exceptional circumstances. Institutions shall establish procedures for granting extensions or waivers of the continuous service requirement in exceptional circumstances, which must include maternity or parental leave and appropriate accommodations for faculty members with disabilities. Institution procedures may define additional exceptional circumstances including, for example, family emergencies or extended illness.
A faculty member desiring an extension of the six-year probationary period or a waiver of the continuous service requirement based on exceptional personal or family circumstances shall make a written request for an extension or waiver to the department chair or head of the academic unit. The written request shall be made within 90 days from the time of the exceptional circumstances justifying the extension or waiver request. The chair or head of the academic unit shall forward a recommendation on the request to the Dean who shall also review the matter and forward a recommendation on the request to the Provost. Approval of the extension or waiver request rests with the Provost and the President of the

University. Denial of an extension or waiver request is a matter related to promotion and tenure appealable pursuant to Policy 350.

d) An institution may, subject to procedural requirements stated in this policy and sections 605.2, 605.3, and 605.4, decline to renew the contract of probationary faculty without cause at any time during the probationary period.

4. Faculty appointments shall be probationary, tenured or special.

a) PROBATIONARY APPOINTMENTS are renewable annually and yield credit toward tenure. The probationary term is limited to six years of continuous academic service, excluding extensions to the term or exceptions to the continuous service requirement granted in exceptional circumstances.

1. An individual with previous professional experience may, at the discretion of the institution, be given tenure credit not to exceed three years for this experience, with such credit to be regarded as academic service to the institution for the purpose of these regulations. The faculty member shall be informed in writing of this policy and the institution's decision prior to or at the time of appointment.

   Acceptability of tenure credit shall be evaluated by the department chair and the dean or director of the college or equivalent unit. Approval of credit toward tenure rests with the Provost and the President of the University.

2. Time spent on leave of absence or developmental leave may be counted, up to a maximum of two years, as academic service for the purposes of these regulations. The amount shall be determined, and the faculty member informed in writing, including any applicable conditions, prior to authorization of the leave.

   Approval ***for leave credit*** *is required by the department chair, dean, and Provost.*

b) TENURED APPOINTMENTS recognize a right, subject to Board policy, to continuous academic year employment in an academic unit or program area as defined by an institution and stated on the contract. A faculty member shall qualify to be recommended for a tenured appointment by satisfying the criteria for tenure developed in accordance with subsection 3 of this policy.

1. The following persons are not eligible for tenured appointment:

   i. Faculty members with a part-time or temporary appointment. However, faculty members who have been awarded part-time tenure as established by previous Board policy and those who accept a part-time appointment after being awarded tenure in a full-time position shall continue to have such tenure recognized.

ii. An institution's president:

The President's Office maintains the list of faculty members who have been awarded part-time tenure under previous Board policy.

2. The Board may, following review and recommendations made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to an institution's chief academic officer or to any other person appointed to the faculty who has not met the eligibility requirement of subdivision 3 (c) of this policy, provided that the person, at the time tenure is granted has:

   i. Held a tenured appointment at another institution, or

   ii. Been a faculty member at the institution for at least one prior academic year.

3. The Board may, following review and recommendation made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to any person appointed to the faculty who has not met the eligibility requirements of subdivisions 3(b) and 3(c) of this policy, provided that the person has a documented record of outstanding achievement and consistent excellence in a discipline or profession gained through research, scholarly or professional activities, or service.
   Materials in support of a candidate for tenure under exceptional circumstances shall be submitted to the department or academic unit in which tenure is sought. The materials shall be reviewed at the department or unit level and the chair or head of the academic unit shall forward the unit's recommendation to the Dean and the college PTE committee, who will review the materials and unit recommendation and make independent recommendations to the Provost. The Provost will review the materials and recommendations and provide a recommendation to the President who will make a final recommendation to the State Board of Higher Education.

c) SPECIAL APPOINTMENTS do not involve either tenure credit or status. Special appointments are all appointments except tenured or probationary appointments, including:

   1) Courtesy adjunct appointments awarded in accordance with Board policy to professional people who contribute to the academic or research program of the institution;

   2) Visiting appointments for people holding academic rank at another institution of higher education;

3) Appointments of retired faculty members on special conditions;

4) Initial appointments supported wholly or partially by other than state appropriated funds;

5) Appointments clearly limited to a brief association with the institution, as defined by the institution;
A brief association, as defined at NDSU, will be a maximum duration of six consecutive years. Exceptions to this policy must be approved by the chair, dean and Provost.

6) Terminal appointments given with notice of non-renewal to faculty members who were previously on probationary appointment. A terminal appointment with notice of nonrenewal must be given to a faculty member no later than the end of the sixth year of probationary appointment if the decision is made to deny tenure;

7) Part-time faculty;

8) Lectureship appointments, which shall be for performance of specifically assigned academic duties only, without general faculty responsibilities;

Lecturers provide the services defined in the letter of appointment, which are generally limited to teaching specific courses or advising a certain number of students; participation in faculty governance is not provided for. These appointments are compensated and may be for one ***or two semesters*** *at a time. Full-time lectureship appointments are considered temporary. Service beyond a total of six* ***consecutive*** *years* ***requires a written justification by the department and approval by the dean and the Provost.***

A Senior Lecturer appointment is also available for academic staff of distinguished merit and ability when a probationary faculty appointment is either inappropriate or unavailable.

Factors to be considered in awarding a Senior Lecturer appointment include the academic degree and years of experience of the candidate, as was well as the level of courses taught and the quality of instruction. Although senior lecturers may be expected to participate in college activities and committees, they are not eligible for governance activities or committee assignments provided for the University's faculty by its Constitution or Bylaws.

Senior Lecturers shall be appointed annually (or for a longer period with the approval of the Provost) at a salary appropriate for their qualifications, responsibilities and department.

Notice of termination of a Senior Lecturer appointment must be given by March 1 of the first full year of academic service, or by December 15 of the second or subsequent year of service, in order for the termination to be effective as of the end of that fiscal year of service.

9) Graduate teaching assistant appointments.

10) Postdoctoral fellowships and clinical appointments; and

11) Other faculty appointments, not probationary or tenured, that are designed to help fulfill the institution's mission or meet long-term needs. The appointments shall be subject to an agreement describing the faculty member's duties and goals, criteria and weight assigned each criteria for evaluation. The term of an appointment and agreement, or renewal thereof, may not exceed three years. The faculty member's performance and achievement of goals shall be evaluated during the final year of an appointment. An appointment may be renewed only if the evaluation demonstrated satisfactory performance.

12) Research Professorships

i. **Research Professorships** shall be for faculty members whose primary function is research in a position that is supported entirely by extramural funding; provided however, funding for faculty members located at branch stations of the North Dakota Agricultural Experiment Station is not limited to extramural funds. Research Professorships are offered to individuals with experience and scholarly qualifications comparable to regular faculty members at the same rank. Thus, the appointments may be made at the levels of a) Research Assistant Professor, b) Research Associate Professor, or c) Research Professor. Research Professorships shall be hired using existing university policies and guidelines, and the appointment must be associated with an academic department and/or a research unit within an academic department. It may, however, be made in one or more departments. If the appointment is a joint appointment between two units, the appointment must exceed 50% in one of the units, and the Chair/Head in the majority unit would take primary responsibility for annual evaluations.

ii. To the extent applicable, the duration of the appointment is based upon extramural funding. Research Professorships neither carry tenure nor are eligible for tenure.

iii. The position is typically 100% research. No teaching or university service is expected, but professional service (e.g., reviewing submissions; presenting at conferences) is an inherent responsibility of the position. Departments may have different expectations concerning the role that the appointee plays in departmental service activities (e.g., attending the departmental meetings, voting on departmental issues). Research Professorships will not typically involve formal classroom teaching. In rare cases in which a Research Faculty is considered for a teaching assignment, a separate part-time teaching appointment is required, and

the Research Faculty should reduce their research effort accordingly. All non-research activities are, of course, subject to constraints imposed by the funding agencies providing support for the primary appointment.

iv. Research Professorships are not counted for the purposes of determining unit representation for University Governance. The appointee's role in graduate education shall be governed by the department and by existing policies of the Graduate School.

v. An annual written evaluation will be completed by the department Chair/Head. If the Research Faculty is working within a research group, then the Chair/Head shall consult with the Research Director of the Principal Investigator for input on the appointee's evaluation. It is essential that the evaluation be based upon a current position description. One component of the annual review will be the assessment of past and upcoming funding for the position.

vi. Promotion is initiated via a departmental recommendation. The recommendation is signed by the College's Promotion, Tenure and Evaluation Committee, by the Dean, and by the Provost. Typically promotion cannot be achieved until the candidate has spent a minimum of five years in rank. Promotion shall be based primarily on demonstrated success in research, publications and extramural funding (i.e.; demonstration of knowledge dissemination in his/her field, supervision of graduate researchers, and/or continued funding support.

vii. A Research Faculty member is eligible to apply for a tenure-track position. Upon recommendation by the chair, dean, and the Provost, up to 3 years prior experience in a Research Professorship can be counted toward tenure.

13) Professor of Practice

i. The designation, Professor of Practice, shall be for faculty members whose primary function is to teach in their academic discipline and carry out other responsibilities assigned at the discretion of the department or college, including apportionment of their time to service and/or other professional responsibilities. Appointments at the Assistant, Associate, and Full Professor of Practice are based on academic qualifications, as describe below.

a) **Assistant Professor of Practice.** For appointment as Assistant Professor of Practice, candidates must have a terminal degree or equivalent professional experience, and demonstrated professional or industrial/business experience. The length of appointment may be 1-3 year, renewable every year upon satisfactory performance of assigned responsibilities, the majority of which will be instructional activities and practice.

b) **Associate Professor of Practice.** For appointment as Associate Professor of Practice, candidates must have a terminal degree or equivalent professional experience, evidence of leadership in instructional activity in academic or professional instruction that has had a significant impact on the department, college, university, or profession. The length of appointment may be 1-4 years, renewable every year upon satisfactory performance of assigned responsibilities, the majority of which will be in instructional activities and practice.

c) **Professor of Practice.** For appointment as Professor of Practice, candidates must have a terminal degree or equivalent professional experience, evidence of contributions to advancing learning in the field (i.e. national visibility in dissemination of instructional methods and/or materials, successful grant funding for instructional activities/innovations, leadership in professional organizations.) The length of appointment may be 1-5 years, renewable every year upon satisfactory performance of assigned responsibilities, the majority of which will be in instructional activities and practice.

ii. Departments may have different expectations concerning the role that the appointee plays in departmental service activities (e.g., attending departmental meetings, voting on departmental issues). The appointee's role in graduate education shall be governed by the department and by the existing policies of the Graduate School. An annual written evaluation will be completed by the department Chair/Head.

iii. The position of Assistant, Associate, or Professor of Practice neither carries tenure nor eligibility for tenure, though promotion is possible through ranks, based on time in rank and satisfactory evaluation of assigned responsibilities. Promotion is initiated via a departmental recommendation. The recommendation is signed by the College's Promotion, Tenure and Evaluation Committee, by the Dean, and by the Provost. Typically, the promotion cannot be achieved until the candidate has spent a minimum of five years in rank. Promotion shall be based primarily on demonstrated success in instructional activities and other assigned responsibilities.

iv. A faculty of practice member is eligible to apply for a tenure-track position. Upon recommendation by the chair, dean and Provost, up to 3 years prior experience in a Professorship of Practice can be counted toward tenure probation.

5. The general terms and conditions of appointment shall be provided the appointee in a written contract. The contract shall state whether the appointment is probationary, tenured or special. The term of a contract, except contracts made pursuant to paragraph 4(c)(11), shall generally not exceed one year. A multiple-year contract must be subject to termination upon discontinuance of the program in which the faculty member is employed, non-appropriation or loss of funds, or other financial exigency.

For faculty on nine- or ten-month contracts covering the traditional academic year (generally, August to May), institutions shall not later than June 30 each year, provide notice of renewal terms with a contract, agreement or appointment letter to be signed by both parties. Absent good cause or agreement extending or establishing a different deadline, faculty must sign and return a contract or other document indicating acceptance of contract terms not later than July 20. Institutions shall establish procedures providing that failure to return a signed contract or other document indicating acceptance of contract terms by July 20 constitutes a resignation resulting in termination of employment, effective July 20, except for good cause shown by the faculty member or unless the institution has granted an extension. Prior to the end of the spring semester each year, institutions shall provide notice to faculty summarizing the process and deadlines for contract renewal, including information on extending deadlines to accommodate faculty who may be traveling or not able to readily receive and respond to communications during summer months.

For a faculty appointment, the contract consists of the letter offering the position, the annual notice of renewal terms, the current job description of the individual faculty member, and the current policies and procedures of NDSU and the State Board of Higher Education. The department chair or head of an academic unit will ensure that all faculty have job descriptions that are periodically reviewed and updated. Each job description will be signed by the Dean, the Chair or head of the academic unit, and the faculty member and filed in the faculty member's official personnel file. Each job description shall specify how a faculty member's assigned responsibilities will be allocated among teaching, research, and service which will determine the weight to be given to each area of responsibility for tenure, promotion, and continuing evaluations.

6. The institutional process for evaluation of faculty, the criteria and minimum expectations for promotion and for tenure, and provisions concerning required notices, shall be made known to the appointee at the time of appointment. This disclosure may be accomplished by a published description of the process, criteria, and expectations in a faculty handbook or similar document. Such provisions are subject to change according to processes established for adoption or amendment of Board and institutional policies. Institution procedures shall provide for annual evaluation of all full-time faculty. The procedures shall include provisions requiring that evaluations are completed in a timely and appropriate fashion and that the institution takes appropriate remedial action in response to unsatisfactory evaluations. Evaluation criteria shall relate to a faculty member's duties and goals and be appropriately weighted in accordance with the terms of the faculty member's contract. Evaluations of all teaching faculty must include significant student input.

At the time of appointment, the appointee shall be provided with information, which contains the institutional process for evaluation of faculty, as well as minimum expectations for promotion and tenure. In addition, specific departmental and college guidelines for promotion, evaluation and tenure, if applicable, will be made available to the appointee.

The dean or director of the college or equivalent unit will be responsible for providing these documents to the appointee.

Note: Since this Policy repeats Board Policy, the section numbers in the Board Policy refer to Board Policy numbers. The italicized portions of Policies 350.1-350.4 are NDSU Policy which implement or supplement Board Policy.

HISTORY:
Replaces portions of Policy 605 SBHE Minutes April 25, 1995 pg 6554

Amended	April 25, 1995
Amended	July 1, 1996
Amended	January 1997
Amended	June 1997
Amended	February 2001
Amended	October 2001
Amended	August 2003
Amended	October 2005
Amended	October 2007
Amended	December 2008
Amended	December 19, 2011
Amended	September 25, 2012
Amended	October 4, 2012

Policy 352 Version 1 9-22-2015

Policy Change Cover Sheet

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

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

SECTION: Policy Section 352 – Promotion, Tenure and Evaluation: Faculty Hired with Previous Relevant Experience

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ✓No
   - Describe change: Process for hiring into tenure line position at a negotiable faculty rank with tenure is clarified; process for awarding tenure credit to probationary faculty hires is clarified; operationalization of tenure credit in evaluation process is clarified.

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: ad hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 9-22-2015
   - Email address of the person who should be contacted with revisions: Karen.Froelich@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 352
PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.

1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University,

college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.

1.3 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

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

2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience.

2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off-campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

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

2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;

2.2.1.1.2 the continuous improvement of courses or instructional programs;

2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.

2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:

2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;

2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;

2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;

2.2.1.2.4 the dissemination of best practices in teaching;

2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

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

2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.

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

2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;

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

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

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

2.2.2.2.5 the receipt of awards or special recognition for research ;

2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

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

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

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

2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:

2.2.3.2.1 the receipt of awards or special recognition for service;

2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;

2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

2.2.3.2.4. active participation and leadership in University
governance and programs at the department, college,
university and system levels;

2.2.3.2.5. effective management or improvement of administrative procedures or programs.

2.2.3.2.6 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;

2.2.3.2.7 contributions to the operation of state or federal agencies.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and

specific promotion and tenure criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

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

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

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

3.3. For probationary faculty, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit which were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured candidates for promotion to professor shall be evaluated by the criteria in effect at the time of application.

3.4. Faculty Hired Without Previous, Relevant Experience

For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for

promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum (from one to three) years of tenure credit offered.

There are two options:

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

3.5.2.2 Faculty may be allowed the full six-year probationary period with the option of applying for promotion and/or tenure at any time

following three years of academic service. How prior work is considered must be specified in the appointment letter.

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

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

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

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

exceed three years total extension) must be requested under the provisions of 3.6 above.

3.6.2 Extension of Probationary Period for Personal Illness or Disability

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

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the

case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.

3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form.

3.6.4.6 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

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

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

Related Policies and Procedures:

Policy 156. Equal Opportunity Grievance Procedures (http://www.ndsu.edu/fileadmin/policy/156.pdf)

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

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

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

4. PERIODIC REVIEW

4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.

4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.

4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the

deadlines listed in Section 350.3.

4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.

4.5 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review period. For probationary faculty, the report shall include an assessment of the faculty member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.

4.6 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.

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

5. COMPOSITION OF PTE COMMITTEES

5.1. Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.

5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Faculty members being considered for promotion may not serve while under consideration.

5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding administrative appointments, including those with interim status, are not eligible to serve. ("Administrative appointment" includes appointments as President, Vice President, Associate or Assistant Vice President, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, or Director of an academic unit.)

6. PTE PROCEDURES

6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee no later than November 1.

6.2 After November 1, the information that may be added to the portfolio is limited to
a) Recommendations by the evaluating units considering the portfolio at that time;
b) the candidate's response to those recommendations;
c) any materials requested by the evaluators.

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

material to be added.

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

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

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

6.5 Allegations of misconduct discovered after November 1 that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.

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

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

6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.

6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the

report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.

a. The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.

6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.

6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.

6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.

7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

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

HISTORY:

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

Policy *XXX (new)* Version 1 *090315*

Policy Change Cover Sheet

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

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

SECTION: XXX Export Control

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☒ Yes ☐ No
   - Describe change: This is a new policy stating NDSU's intention to follow federal export control laws and regulations and is part of our compliance program.

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: VPRCA 9/3/2015
   - Email address of the person who should be contacted with revisions: jolynne.tschetter@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

The formatting of this policy will be updated on the website once the content has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however

North Dakota State University
Policy Manual

SECTION XXX
EXPORT CONTROL

SOURCE: NDSU President

1. North Dakota State University is committed to acting in accordance with all applicable U.S. Government export regulations. NDSU requires ALL faculty, staff, students, and other University personnel to be aware of, and comply with, U.S. export control laws and regulations, and NDSU's policy and procedures thereto.

HISTORY:

New September 2015

SROI Bias Estimates (by Birth Country)

NOTE: To calculate this, the percentages for ratings of 4 & 5 were combined (to be consistent with the gender bias summary). For example, >10% means greater than 10% difference between "good" (defined as rating of 4 or 5) ratings between instructors born in non-English-speaking birth countries (NESBC) and instructors born in English-speaking birth countries (ESBC). ESBC include USA, Canada, UK, and New Zealand.

Unbiased (<5%) items are highlighted in yellow.

Item	Biased Toward English-Speaking Birth Country >10%	Biased Toward English-Speaking Birth Country 5-10%	Unbiased <5%	Mean rating difference (NESBC minus ESBC)
1. Your satisfaction with the instruction of the course.		X		-.2752
2. The instructor as a teacher.*	X			-.3098
3. The ability of the instructor to communicate effectively.	X			-.4499
4. The quality of the course.*		X		-.2093
5. The fairness of the procedures for grading this course.			X	-.1384
6. Your understanding of the course content.		X		-.1874
7. The instructor provided an environment that was conducive to learning.		X		-.2304
8. This instructor provided well-defined course objectives.		X		-.1795
9. This instructor provided content and materials that were clear and well-organized.		X		-.1875
10. I understood how my grades were assigned in this course.			X	-.1287
11. I met or exceeded the course objectives given for this course.			X	-.1388
12. The instructor was available to assist students outside of class.			X	-.1144

13. The instructor provided feedback in a timely manner.			X	**-.1356**
14. The instructor provided relevant feedback that helped me learn.		X		**-.2207**
15. The instructor set and maintained high standards that the students must meet.		X		**-.1836**
16. The physical environment was conducive to learning.		X		**-.2040**

SROI Bias Estimates (by Ethnicity)

NOTE: To calculate this, the percentages for ratings of 4 & 5 were combined (to be consistent with the gender bias analyses). For example, >10% means greater than 10% difference between "good" (defined as rating of 4 or 5) ratings between White and non-White instructors.

Unbiased (<5%) items are highlighted in yellow.

Item	Biased Toward White >10%	Biased Toward White 5-10%	Unbiased <5%	Mean rating difference (NW minus W)
1. Your satisfaction with the instruction of the course.		X		**-.1971**
2. The instructor as a teacher.*		X		**-.2279**
3. The ability of the instructor to communicate effectively.	X			**-.3815**
4. The quality of the course.*		X		**-.1655**
5. The fairness of the procedures for grading this course.			X	**-.0853**
6. Your understanding of the course content.			X	**-.1456**
7. The instructor provided an environment that was conducive to learning.		X		**-.1651**
8. This instructor provided well-defined course objectives.			X	**-.1267**

9. This instructor provided content and materials that were clear and well-organized.			**X**	**-.1479**
10. I understood how my grades were assigned in this course.			**X**	**-.1025**
11. I met or exceeded the course objectives given for this course.			**X**	**-.1137**
12. The instructor was available to assist students outside of class.			**X**	**-.0741**
13. The instructor provided feedback in a timely manner.			**X**	**-.0790**
14. The instructor provided relevant feedback that helped me learn.		**X**		**-.1522**
15. The instructor set and maintained high standards that the students must meet.			**X**	**-.1376**
16. The physical environment was conducive to learning.			**X**	**-.1409**

SROI Bias Estimates (by Gender)

Numbers represent the number of colleges that fall into the category labelled above.

	Biased Toward Males			**Biased Toward Females**			**Unbiased**
Item	**5-10%**	**> 10%**	**Total**	**5-10%**	**> 10%**	**Total**	**< 5%**
1. Your satisfaction with the instruction in this course.	1	2	3	1	0	1	10
2. The instructor as a teacher.	1	2	3	1	0	2	9
3. The ability of the instructor to communicate effectively.	1	2	3	1	0	1	10
4. The quality of this course.	1	2	3	1	0	1	10
5. The fairness of procedures for grading this course.	3	1	4	0	0	0	10
6. Your understanding of the course content.	2	0	2	1	1	2	10

7. This instructor provided an environment that was conducive to learning.	1	1	2	1	1	2	10
8. This instructor provided well-defined course objectives.	1	1	2	1	0	1	11
9. This instructor provided content and materials that were clear and well organized.	2	0	2	1	1	2	10
10. I understood how my grades were assigned in this course.	1	0	1	0	0	0	13
11. I met or exceeded the course objectives given for this course.	1	0	1	2	0	2	11
12. The instructor was available to assist students outside of class.	0	0	0	3	0	3	11
13. The instructor provided feedback in a timely manner.	1	0	1	1	0	1	12
14. The instructor provided relevant feedback that helped me learn.	2	0	2	2	0	2	10
15. The instructor set and maintained high standards that students must meet.	1	1	2	1	0	1	11
16. The physical environment was conducive to learning.	0	2	2	1	0	1	11

NDSU Faculty Senate

3:30 pm, 14 December 2015

Prairie Rose, Memorial Union

Agenda

I. Call to Order

II. Attendance

III. Approval of 9 November 2015 minutes

IV. Consent agenda
   a. Academic Affairs Report (attachment 1)
   b. Policy changes (attachment 2) (All housekeeping changes/information only)
      - Policy 100 Equal Opportunity and Non-discrimination Policy
      - Policy 159 Injury Claims Against NDSU and State Risk Financing

Any Senator can request that an item on the consent agenda be placed on the regular agenda

V. Announcements
   a. Dean Bresciani, President
   b. Beth Ingram, Provost
   c. Dennis Cooley, Faculty Senate President
   d. Katie Gordon, Faculty Senate President-Elect
   e. Kelly Rusch, VP Research

VI. Senate Committee Reports
   a. General Education QUEST Feasibility Committee
   b. Faculty Senate Bylaws Committee (attachment 3)
   c. University Athletics committee

VII. Unfinished Business
   a. Policy 133.1 – Tuition Waivers - Spouse/Partner and Dependents (attachment 4)
      i. Please note that the form will have to be changed so that all domestic partnerships are included.
   b. Policy 132 – Provost Ingram (Delayed until January 2016 meeting)

VIII. New Business
   a. Policy 327 – Evaluation of Academic Deans, Directors and Department Chairs and Heads (attachment 5)
   b. NDGEC's request to change SBHE policy 403.7 forwarded from CCF (attachment 6)
   c. Policy preventing the use of university money to pay for one's personal professional organization membership - discussion.
   d. Elimination of travel funding from Provost's office - discussion.
   e. Policy approval process – discussion.

IX. Adjourn

Academic Affairs Committee Report
For Faculty Senate Meeting on December 14, 2015

New Courses				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
H&CE	776	Research Design in Family and Consumer Sciences	3	Summer 2016
H&CE	778	Administration of Family and Consumer Sciences Programs	3	Summer 2016
H&CE	779	Techniques of Supervision in Family and Consumer Sciences	3	Summer 2016
HDFS	874	Contemporary Grant Writing	3	Spring 2016
MATH	791	Topics in Combinatorics	3	Spring 2016
NRM	761	Current Issues in Natural Resource Management	1	Spring 2016

Course Inactivation				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
HDFS	425	Risk, Resilience and Competence in Children and Adolescents	3	Spring 2016
HIST	476	Southwestern Borderlands to 1848	3	Spring 2016
RELS	601	Sociology of Religion	3	Spring 2016

Course Changes								
From:				***To:***				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
ECE	663	Digital Control	3	ECE	663	**Modern Control**	3	Spring 2016
HNES	710	Recent Literature and Research	3	HNES	710	**Introduction to Research Design and Methods in HNES**	3	Spring 2016
HNES	777	Current Research Practices in Athletic Training	3	HNES	777	**Scholarly Writing and Presenting in HNES**	3	Spring 2016
MATH	446/646	Introduction to Topology	3	MATH	**442/642**	Introduction to Topology	3	Fall 2016
MATH	445/645	Differential Geometry	3	MATH	**443/643**	Differential Geometry	3	Fall 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
Subject	**No.**	**Title**	**Prerequisite/Co-requisite Change**	**Effective Term**
ADHM	181	Aesthetics and Visual Analysis of Apparel Products	Prereq or Co-req: None. Desc: Analysis of aesthetics and design principles and their application to apparel and textiles products, environment and oneself.	Spring 2016
ADHM	271	Visual Merchandising and Promotion	Prereq: None.	Spring 2016
ECE	663	Modern Control	Desc: Analysis and design of controllers for linear and non-linear systems using state-optimization, and state-estimation. 3 lectures.	Spring 2016
HDFS	430	Topics in Cognitive Development	Prereq: HDFS 250 or PSYC 350 or SOC 340 and junior or senior standing.	Spring 2016
HNES	710	Introduction to Research Design and Methods in HNES	Desc: This course is intended to prepare students to conduct research by discussing basic research designs and methods. Students will begin to develop topics, write research questions and identify appropriate methods to answer the questions for a thesis or research project. During this course students will write section(s) of their proposals or chapters and receive feedback. This course also reviews grant writing.	Spring 2016
HNES	777	Scholarly Writing and Presenting in HNES	Desc: This course is designed for students pursuing their Master or Doctorate degree who are currently writing a proposal or a chapter of their thesis or dissertation. Class sessions cover the conventions for each chapter of the thesis/dissertation, analytical reading of research articles in the areas of HNES, and effective methods of presenting research.	Spring 2016
MATH	442/642	Introduction to Topology	Prereq: MATH 346 Desc: Basic Point-Set Topology: Topological Spaces, Open/Closed Sets, Continuity, Connectedness, Compactness; Surfaces: Classification, Basic Invariants; Introduction to Homology; Applications: Brouwer's Fix-Point Theorum, Ham and Sandwich Theorum.	Fall 2016
MATH	443/643	Differential Geometry	Prereq: MATH 265 and MATH 346. Desc: Local and global geometry of plane curves, Local geometry of hypersurfaces, Global geometry of hypersurfaces, Geometry of lengths and distances.	Fall 2016
MATH	726	Homological Algebra	Prereq: MATH 720	Fall 2016
MATH	746	Topology I	Prereq: MATH 642	Fall 2016
MATH	747	Topology II	Prereq: MATH 642	Fall 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
MATH	750	Analysis	Prereq: MATH 650	Fall 2016
MATH	754	Functional Analysis	Prereq: MATH 750	Fall 2016
MATH	824	Topics in Commutative Algebra	Prereq: MATH 720	Fall 2016
MATH	825	Theory of Rings	Prereq: MATH 720	Fall 2016
MATH	849	Topics in Geometry & Topology	Prereq: MATH 642 or MATH 643	Fall 2016
MATH	888	Numerical Analysis	Prereq: MATH 688	Fall 2016

New Special Topics (FYI)				
Subject	**No.**	**Title**		
MGMT	696	Modeling the Supply Chain		Spring 2016
MRKT	696	Health Care Marketing		Spring 2016

Policy *100* Version 1 *10/22/15*

Policy Change Cover Sheet

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

SECTION: 100 Equal Opportunity and Non-Discrimination Policy

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change:

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Provost - Lois Christianson/Canan Bilen-Green – 10/22/15
   - Email address of the person who should be contacted with revisions – lois.christianson@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 100
EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

SOURCE: NDSU President
SBHE Policy Manual, Section 603.2

North Dakota State University is fully committed to equal opportunity in employment decisions and educational programs and activities, in compliance with all applicable federal and state laws and including appropriate affirmative action efforts, for all individuals without regard to age, color, disability, gender expression/identity, genetic information, marital status, national origin, physical and mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.

Discrimination against an employee or applicant for employment, with respect to working conditions, work place assignment, or other privileges of employment, merely because the employee's or applicant's spouse is also an employee is prohibited. Employment in a department or institution headed or supervised by the employee's spouse is permitted only if the spouse does not have the power to hire or fire or make evaluations of performance.

The following notice must be included in all departmental publication such as bulletins, announcements, manuals, publications, guidebooks, brochures, pamphlets, catalogs, application forms or recruitment materials describing or inviting participation in programs at North Dakota State University. (This notice is not required on departmental homepages.)

Non-Discrimination Policy:

North Dakota State University does not discriminate on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, physical and mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran. Direct inquiries to:

Vice Provost for Faculty and Equity
Old Main 201
701-231-7708

Title IX/ADA Coordinator
Old Main 102
701-231-6409

HISTORY:

New	May 1972
Amended	April 2, 1991
Amended	April 1992
Amended	August 1993
Amended	August 1999
Amended	February 2005
Amended	December 2007
Amended	June 12 2009
Amended	July 8, 2009
Housekeeping	September 2009
Amended	June 1, 2011
Housekeeping	June 22, 2011
Housekeeping	July 23, 2014
Amended	October 19, 2015

Policy *159* Version 1 *100215*

Policy Change Cover Sheet

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SECTION: 159 Injury Claims Against NDSU and State Risk Financing

4. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping change removing reference to University Risk Manager and replacing reference to University General Counsel with Assistant Attorney General assigned to the University per Matt Hammer

5. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted – Student Life / Mary Asheim / 10/2/15
   - Email address of the person who should be contacted with revisions – mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

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Faculty Senate:

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North Dakota State University
Policy Manual

SECTION 159
INJURY CLAIMS AGAINST NDSU AND STATE RISK FINANCING

SOURCE: NDSU President

1. Claims by third parties (employees' injuries are processed through Workers Compensation) against the State or NDSU and University employees are governed primarily by state law, NDCC ch. 32-12.2. This law resulted from a North Dakota Supreme Court decision decided in 1994 which overturned sovereign immunity.

2. Claims for injuries caused by a state employee within the scope of that employee's employment are brought against the State and not against the individual employee. The injured party must file a claim with the State Risk Manager in the Office of Management and Budget ("OMB") within 6 months of the injury. Civil actions for damages must be brought against the State within 3 years of the accident.

3. NDSU, through a designated official, the Assistant Attorney General assigned to the University, notifies OMB of incidents via an OMB Incident Report Form. University employees should either r fill out a University Incident Report Form and submit this to the Assistant Attorney General assigned to the University or contact the Assistant Attorney General assigned to the University directly. The State Risk Manager, if the injured party wants to file a claim, then sends claim forms to the claimant. The claim is then investigated.

4. The current coverage by the State is $250,000 per person and $1,000,000 per occurrence. The State self-insures for this amount. Any judgment beyond this amount would have to go the North Dakota Legislature for an appropriation.

5. OMB has approval authority for state agencies to purchase additional insurance. There are other risk financing coverages; for example, auto insurance, medical malpractice, property insurance through the State Fire and Tornado Fund, aviation liability policies, boiler and machinery coverage, fidelity bonding, and others. On occasion, unique insurance may need to be purchased for specific events. Normally, however, the Risk Management Fund is sufficient. Questions about insurance coverage can be directed to the Assistant Attorney General assigned to the University. Certificates of self-insurance are available.

6. A special situation exists in the case of students or visitors to the campus who appear to have suffered a possible serious injury on the campus and who are

unable, because of unconsciousness or other reasons, to clearly request that an ambulance be called for them. When staff members have called the ambulance themselves in the past, there have been cases where the injured person subsequently refused to pay the ambulance bill. This is unfortunate, but a more serious problem could result from neglecting to get prompt medical attention, with a real potential for a liability suit directed against the University.

University personnel should continue to request the services that an injured person appears to need. In most cases, the person or family will be grateful for the action and assume the expenses without question. In the remaining cases, the University will pay for the service if the ambulance company seeks reimbursement against the calling party in order to ensure that staff members involved in making decisions under stressful circumstances know that they have institutional support. The injured party is liable for the bill, however.

7. Employees not only need to be a part of risk management, but also need to be circumspect about making statements to injured parties, other third parties, or even to other University employees who aren't involved in the investigation about the situation. Statements made can be used against the University in future lawsuits. Employees should confine their statements to the facts and contact the Assistant Attorney General assigned to the University for advice on how the matter should be handled. IF AN EMPLOYEE IS SUED, THE EMPLOYEE HAS TEN DAYS TO NOTIFY THE PRESIDENT AND REQUEST LEGAL REPRESENTATION. EMPLOYEES SHOULD CONTACT THE ASSISTANT ATTORNEY GENERAL ASSIGNED TO THE UNIVERSITY IMMEDIATELY IN SUCH SITUATIONS.

8. Settlements are made, if warranted, by consultation between the University, the State Attorney General's Office, and the State Risk Manager after reviewing all the investigation reports.

9. Employees do have a risk of individual liability if they are acting outside the scope of their employment. An employee is acting within the scope of their employment if the employee is acting on behalf of NDSU performing lawfully assigned duties. However, an employee who acts in a reckless or grossly negligent manner, commits malfeasance in office, or commits willful or wanton misconduct is deemed not be acting within the scope of their employment. In such rare cases, the State has no responsibility to defend the employee.

   For more information regarding state employee liability see:
   http://www.ag.nd.gov/Brochures/FactSheet/LiabilityStateEmployees.pdf

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HISTORY:

New	July 1990
Amended	June 1996
Amended	December 1997
Amended	October 2007
Amended	February 2009
Amended	September 2015

Bylaws

Article I: Faculty Senate Membership

Section 1.
Each representation unit shall have one elected senator for every fifteen eligible faculty (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the Fargo Campus as of October 1 of each year. Faculty members in the 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, professors of practice, research faculty, assistant, associate, and 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 Faculty Senate seats:

a. College of Agriculture, Food Systems, and Natural Resources
b. College of Arts, Humanities, and Social Sciences
c. College of Business
d. College of Engineering
e. College of Human Development and Education
f. College of ~~Pharmacy, Nursing, and Allied~~ Health ~~Sciences~~Professions
g. College of Science and Mathematics

Section 4.
The Faculty Senate President with the assistance of the Secretary of the Senate will stagger Senate terms so that approximately 1/3 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.

Section 5.
Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected senator shall be three years. Senators cannot be reelected for consecutive terms.

Section 6.
If a senator must vacate her or his seat, the vacancy shall be filled by a special election within the unit from which she or he was elected. The term of a member under these circumstances shall

commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

Section 7.
A senator may be removed from office by way of a two-thirds majority vote at a regular Faculty Senate meeting, followed by a 2/3 majority vote at the next meeting. ~~.~~This action may never be part of a consent agenda. In the event a senator is removed, the Faculty Senate 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 Faculty Senate meetings. If unable to attend the meeting the senator must find a competent substitute (who is not already a senator) to act as her or his proxy at the meeting. Said proxy will have all rights and privileges accorded a regular senator. The senator must provide signed notification of the substitution to the Secretary of the Faculty Senate prior to start of the meeting.
2. Prepare for Faculty 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 Faculty Senate.
4. Disseminate Faculty Senate information to their individual representation units.
5. Gather opinions and other information from their representation units concerning Faculty Senate activity.
6. Show proper decorum during meetings.

Article II: Organization and Faculty Senate Operation

Section 1.
Administrative officers of the Faculty Senate consist of the President and the President-Elect. The Immediate Past President provides advice to the President and President-Elect regarding past practices and other matters for the maintenance of continuity from one administration to the next.

Section 2.
The President-Elect shall be elected for a one-year term by the Faculty Senate at the last~~April or May~~ meeting of the Faculty Senate in the academic year. The President-Elect will be elected from the roster of current or former 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 President as a replacement for the position of Immediate Past President.

Section 4.
During their respective terms the President-Elect ~~and~~, the President and the Immediate Past President will not represent their~~her or his~~ representation units in the Senate.

Section 5.
The authority of the President, President Elect or Immediate Past President will be terminated before the end of its term if he/she loses the eligibility, voluntarily resigns with eligibility or is removed from office by the Senate with/without eligibility.

1. Voluntary resignations shall be tendered before the Senate at its regular meetings.
2. Removal of the President ~~or~~, President-Elect or Immediate Past President by the Senate requires a 2/3 vote at a regular Senate meeting, followed by a 2/3 vote at a special meeting of the Senate convened in not more than 2 weeks after the first meeting. The second meeting will be convened and presided by a Special Returning Officer who will be appointed by the Senate immediately after the first vote. The removed officer shall not complete his/her term as a Senator.
3. In the event that the authority of the President is terminated ~~President is removed or unable to complete their term out of their own decision~~ but the President-Elect is still in good standing, the~~, the~~ President-Elect will assume the role of President ~~and will continue as President~~ to finish the term left by the removed President and then he/she will start his/her originally elected term.
    a. The removed president will not serve as Immediate Past President. ~~until the~~
    b. ~~President-Elect's original term is concluded.~~ The assumed President may wish to appoint one of the senators to assist in the duties of the President-Elect. This appointment does not necessarily imply automatic elevation to the full position of President-Elect at the end of the term.
4. In the event that the authority of the President-Elect is terminated~~removed of unable to complete their term out of their own decision~~, 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 he/she will convene and preside the Senate meeting to elect a new President and the President-Elect in not more than two weeks.
    ~~a.~~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 of the election of the President and the President-Elect in not more than two weeks. Section 5.5 above will then be used to fill the position of the Immediate Past President.

~~The removed officer shall not complete her or his term as a Senator~~.

Section 6.
Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Faculty 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 Faculty Senate on administrative councils.
9. Provide the Secretary of the Senate and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Submit policies or actions approved by the Faculty Senate to the University President for consideration.
11. Moderate the official faculty listserv.

Section 7.
Duties of the President-Elect shall include the following:

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

Section 8
Duties of the Immediate Past President shall include the following:

1. Advisee 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 the senate regular meetings in the absence of both the President and the President-Elect.
3. Serve on the Senate Executive Committee.

Section ~~8~~9.
The University Registrar shall be the Secretary of the Senate; the Secretary of the Senate 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 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, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.
8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.
10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.

Section ~~9~~10.
Regular meetings of the Senate shall be held at 3:30 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or state holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 1~~0~~0.
Special meetings may be called by the President or on petition of one-third of the membership of the Senate.

Section 1~~1~~2.
Meetings of the Faculty Senate shall be open to the public. At each Senate meeting the President of the University, the Provost, the Student Body President, and the Staff Senate President will be invited to make announcements. The Faculty Senate 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 ~~12~~13.
Faculty Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Faculty Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

Section 1~~3~~4.
The primary business of the Faculty Senate is to review, propose, and approve of policy with respect to the following matters:

a. Academic freedom, including rights and responsibilities.
b. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
c. Research and scholarship.
d. Admissions standards and prerequisites.

e. Requirements for regular certificates and degrees.

f. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.

g. Teaching quality.

h. Professional standards and criteria for positions accorded academic rank.

i. Policies and procedures for promotion, tenure, and evaluation.

j. And other academic matters.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Committee and other reports.

~~5.~~6. Unfinished business.

~~6.~~7. New business.

~~7.~~8. Adjournment.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Planning and prioritizing Faculty Senate action for the year.

~~5.~~6. Adjournment.

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

Section ~~14~~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 ~~15~~16.
The minutes of the meeting shall be posted to the Senate website by the Secretary within one week after the meeting.

Article III: Senate Committees

Section 1.
Duties of standing committees include:

1. Selecting a chair who will serve as a liaison to the Faculty Senate.
2. Initiating and reviewing policy and policy changes in their areas of responsibility.
3. Providing their recommendations to the Faculty 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 Faculty 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 Faculty Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress (5 minutes) at the May meeting of the Faculty Senate or, at the President of the Faculty Senate's request, 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. Such membership shall be presented to the Faculty Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last senate meeting of spring semester, unless otherwise specified.

Section 5.
After the Faculty 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.

Section 6.
All Faculty Senate committee action is subject to review and approval by the Senate.

Section 7.
The Faculty Senate may create special committees as it deems necessary. Such committees shall be discharged upon the completion of their assigned duties. The duties of a special committee should not duplicate work being done by or usurp the responsibility of a standing committee without approval by said standing committee. Special committees shall be commissioned by a majority vote of the full Senate.

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the~~Graduate School designated by the~~ Dean~~ of Graduate and Interdisciplinary Studies~~, and two students.
2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.
3. Committee responsibilities include:
    a. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
    b. Recommending policies for the evaluation of transfer credit
    c. Recommending policies for graduation
    d. Recommending candidates for graduation
    e. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 2. Academic Integrity

1. Membership shall consist of one tenured faculty member with the rank of professor from each representation unit. If a full professor is not available, an associate professor may be appointed.
2. Committee responsibilities include:
    a. Providing investigative assistance on cases involving academic misconduct as described in Policy 326.
    b. Selecting panels of three persons competent to investigate allegations; such panels may include members from outside the University.
    c. Reviewing and recommending policies on academic integrity.

Section 3. Budget

1. Voting members shall consist of one faculty from each representation unit, and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance (or designee).
3. Committee responsibilities include:
    a. Becoming familiar with the university budget process.
    b. Developing a set of guiding principles which align with strategic priorities, with the intent of informing university budget decisions from a faculty perspective.

c. Soliciting 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. Acting as a conduit of information between faculty and administration for budget discussions and decisions.

Section 4. Conflict of Interest Advisory

1. Committee membership shall consist of five tenured faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President.
2. No two committee members may have primary appointments in the same representation unit.
3. Committee responsibilities include:
    a. Serving as an advisory body to the administration on the issue of Conflict of Interest.
    b. Initiating and reviewing policies concerning Conflict of Interest and making recommendations regarding such policy at the Faculty Senate.
    c. Hearing and ruling on appeals of decisions in conflict of interest cases.
    d. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 151.1.
4. In the event that a member of the committee recuses himself/herself 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.

Section 5. Council of College Faculties

1. Membership shall consist of three faculty members elected to staggered three-year terms.
2. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Council of College Faculties.
3. Responsibilities and procedures of the Council of College Faculties are determined by the Constitution and Bylaws of the Council.

Section 6. Equity and Diversity

1. Voting membership shall consist of five faculty members and a faculty representative from the Commission on the Status of Women Faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President. The Executive Committee shall strive for representation from diverse groups.
2. Non-voting membership shall consist of ~~a representative from~~ the Title IX Co-ordinator (or designee) ~~office of the Vice President for Equity, Diversity, and Global Outreach~~.
3. Committee responsibilities include:
    a. Reviewing, revising and proposing 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, and sexual minorities (e.g., lesbian, gay, bisexual, or transgendered).

Section 7. Executive Committee of the Faculty Senate

1. Voting membership shall consist of one senator from each representation unit, the President, the immediate Past President, and the President-Elect. ~~In the event the immediate Past President is unable or unwilling to serve, the President will appoint another past President as a replacement for the immediate Past President on the committee~~. The term of office shall be for one year following the regular May meeting.
2. Non-voting membership shall consist of a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, a faculty representative from the Commission on the Status of Women Faculty, the Faculty Senate Secretary, and the parliamentarian. The term of office of all members of Executive Committee shall be for one year following the regular May meeting.
3. During the first week of the fall semester, the Executive Committee shall meet and organize for the academic year.
4. Committee responsibilities are the following:
    a. Delegating tasks to Faculty Senate committees.
    b. Reviewing the progress of Faculty Senate committees.
    c. Setting the agenda for upcoming Faculty Senate meetings.
    d. Interpreting, when necessary, provisions of the Faculty Senate Constitution and Bylaws.

Section 8. Faculty Affairs

1. Membership shall consist of one faculty member from each representation unit, a non-voting faculty representative from the Commission on the Status of Women Faculty, and a nonvoting faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of from the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Committee responsibilities include:
    a. Reviewing policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching and service.
    b. Reviewing and recommending revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.

Section 9. Faculty Pool for Administrative Search Committees

1. Membership shall consist of two tenured faculty members (at associate or full professor level) from each representation unit and two tenured faculty members appointed by the Faculty Senate President. Areas of expertise, and a two page CV need to be shared with the Faculty Senate President.
2. Members shall serve for a two year term.

3. For each administrative search out of the Provost office, the Provost shall send a request to the Faculty Senate President listing the qualifications required to serve on the committee and the number of faculty members from the faculty pool the Provost will seat on the search committee.
4. The Faculty Senate President (or designee) shall search the pool for qualified candidates, create a list of qualified candidates, and then contact those on the list to see if they are willing to serve. Conflicts of interest need to be revealed at this time. The list shall contain at least the number who will serve on the committee plus one.
5. Once an adequate list of qualified candidates is created, that list shall be sent by the Faculty Senate President (or designee) to the Provost.
6. The Provost shall select from that list the number of faculty members she/he indicated are needed for that search committee.

Section ~~9~~10~~.~~ Faculty Rights

1. Membership, responsibilities, and procedures are determined by directives of the North Dakota State Board of Higher Education.
2. Membership consists of five members, from different representation units, elected for five-year terms by the faculty. Membership is restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
3. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Standing Committee on Faculty Rights. Committee members' terms will begin and end on August 15.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case, preferably a faculty member who has previously served on the committee. Broad representation, while a worthwhile goal, is not always achievable. However, the replacement member should be from a different representation unit than the other four members if reasonably possible.
5. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.

Section 11~~0~~. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.
2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, and the Provost (or designee).
3. Committee responsibilities include:
    a. Ensuring that existing courses and experiences meet general education requirements.
    b. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.

c. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.

d. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.

e. Providing periodic assessment of students' attainment of intended student outcomes in general education.

f. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.

g. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 12~~1~~. Grade Appeals Board

The purpose of this Board is to provide an avenue for students to challenge any grade they believe to have been unfairly assigned. Membership shall consist of one faculty member and one alternate from each representation unit, the Associate Vice-President of Academic Affairs, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by of the Dean of Graduate and Interdisciplinary Studies~~, three students and three student alternates selected by the Student Government. The Associate Vice-President of Academic Affairs will serve as Board Chair, and Policy 337 governs process.

1. Faculty shall be elected for three-year terms by their representation unit.

2. Students should be full-time students with a minimum 2.00 cumulative grade point average and junior standing.

3. Committee responsibilities include:

   a. Hearing charges of inequitable or prejudiced academic evaluations and to provide redress for improper evaluation.

   b. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 337.

Section 13~~2~~. Program Review

1. Membership shall consist of one tenured faculty member from each representation unit, ~~the immediate past president of the Faculty Senate~~, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of the College of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, and two students selected by the Student Government. Each representation unit shall also select an alternate faculty member to serve in case of recusal.

2. Committee responsibilities include:

   a. Developing criteria and procedures for review of academic programs.

   b. Performing 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. Addressing concerns and making recommendation to the Faculty Senate regarding duplication of programs and courses.

   d. Recommending policies for University support to individual programs.

   e. Coordinating 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 14~~3~~. Research & Consulting

1. Voting membership shall consist of one faculty member from each representation unit and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.

2. Non-voting membership consists of a representative of the Vice President for Research, Creative Activities, and Technology Transfer.

3. Committee responsibilities include:

   a. Initiating and reviewing policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.

b. Reviewing research development programs and providing technical and funding reviews for faculty proposals submitted to the development programs.

Section 154. Technology and Instructional Services Committee

1. Voting membership shall include one faculty member from each of the representation units and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.

   Non-voting membership shall include one representative from Information Technology Services (ITS).

3. Committee responsibilities shall include:

   a. an annual review of ITS support services to the NDSU teaching and research communities.

   b. making recommendations for Faculty Senate approval of any changes proposed by ITS regarding policy, implementation procedures, or classroom and instructional technologies.

   c. formulating recommendations regarding needs of the faculty that are unmet by ITS.

   d. serving as the liaison between the Faculty Senate and ITS administration.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership shall consist of two representatives each from the Faculty, Student, and Staff Senates, the Faculty Senate President, the Staff Senate President, and the Student Body President.

2. Non-voting membership shall consist of the Provost (or designee), the Vice President for Student Affairs (or designee), the Vice President for Finance and Administration (or designee), and representatives of one of these Vice President's offices, one of whom will facilitate meetings and one of whom will maintain records. The Vice President's offices will rotate responsibility for calling meetings and maintaining records every three to five years. The coordinating council may decide to invite policy initiators to the meetings as nonvoting members to explain policy changes.

3. Committee responsibilities include:

   a. Reviewing 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. Coordinating the distribution of policies to the appropriate senate body consistent with the Faculty Senate, Staff Senate, and Student Government Constitutions.

c. Sending policies that have been voted on to appropriate channels at NDSU for final approval.

d. Serving in a liaison capacity regarding the Faculty Senate, administration, Staff Senate, and Student Government.

Section 2. Campus Space & Facilities

1. Voting members shall consist of one faculty member from each representation unit, three staff members appointed by the Staff Senate, three student members (graduate, undergraduate, and on-campus) appointed by the Student Government, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of College of Graduate and Interdisciplinary Studies~~, the Provost (or designee), the Registrar, and the Vice President for Finance and Administration (or designee).

   Non-voting members shall consist of the Director of Facilities Management, the Chair of the Department of Architecture and Landscape Architecture, the Assistant to the Director of the North Dakota Agricultural Experiment Station, and a representative of the Dean of Libraries.

3. Committee responsibilities include:

   a. Provide for the systematic development and review of the "Campus Master Plan" and Guidelines for Campus Development.

   b. Recommending policies and procedures to meet the current and future needs for all physical facilities and reviewing changes in University space allocation including classrooms and laboratories.

   c. Reviewing proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.

   d. Recommending policies for site location for new buildings and for overall landscaping.

   e. Recommending traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.

   f. Recommending plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Membership shall consist of one faculty member from each representation unit, one undergraduate and one graduate student appointed by the Student Government, a staff member appointed by the Staff Senate, a representative from Information Technology Services, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, and the Dean of Libraries.

2. Committee responsibilities include:

   a. Formulating policy recommendations for the NDSU Libraries.

Attachment 3

Section 4. University Athletics

1. Membership consists of one faculty member from each representation unit, two students, the Student Body Vice-President, the President of the Student-Athletes Advisory Council, two representatives of the Staff Senate, the Director of Intercollegiate Athletics~~, the Director of Intercollegiate Women's Athletics, the Title IX Co-ordinator (or designee) the Vice President for Equity, Diversity, and Global Outreach (or designee)~~Senior Women's Administrator, and the Faculty Athletic Representative.
2. The University Athletics Committee serves as the NDSU Athletics Advisory Board as described in the constitution of the National Collegiate Athletics Association (NCAA).
3. Committee responsibilities include:
    a. Promoting compliance with principles of conduct as defined by the NCAA.
    b. Acting as the Board of Appeals for athletic grievances.
    c. Initiating and reviewing policies concerning University Athletics and making recommendations for consideration of said policy to the Faculty Senate. Such areas of

concern include Guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, eligibility of athletes.

d. Reviewing upcoming issues at intercollegiate conference meetings and recommending institutional positions.

e. Reviewing the budget of the athletic programs prior to its approval by the University President.

f. Stimulating interest in athletic events throughout the University community.

Section 5. Equal Opportunity Hearing Panel

1. Membership shall consist of six faculty members appointed by the Faculty Senate President in consultation with the Senate Executive Committee, six students appointed by the Student Government President, and six Staff members appointed by the Staff Senate President.
2. Each President shall strive for diverse representation (gender, ethnicity, etc) in her/his group of appointees.
3. Committee responsibilities include:

   a. Acting in accordance with procedures and policy approved by the Senate, specifically Policy 156.

Section 6. University Assessment

1. Membership shall consist of one faculty member from each representation unit, a representative from the General Education Committee, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, the Provost (or designee), one undergraduate student, and one graduate student appointed by the Student Government, a representative from the Division of Student Affairs, a representative from the NDSU Extension Service, a representative from the Office of Institutional, Research and Analysis, a representative from Distance and Continuing Education, and the Director of the Office of Accreditation and Assessment.
2. Committee responsibilities include:

   a. Periodically reviewing the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and in the NDSU Extension Service.

   b. Developing procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs, and the NDSU Extension Service on their assessment activities.

   c. Providing feedback and assistance to departments and other academic units on their assessment activities.

d. Providing a yearly summary of assessment activities to the Faculty Senate, The Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

Article VI: Amending the Bylaws

Section 1.
Amendments to the bylaws may be proposed by the Faculty Senate or by a petition signed by twenty-five percent of the Faculty. At a meeting of the Faculty Senate where the amendment is proposed, a vote will be cast to determine whether to consider the amendment at the next regular Faculty Senate meeting. If two-thirds of the votes cast are in favor of the bylaws change will be added to the agenda for the next regular meeting of the Faculty Senate.

Section 2.
The Secretary of the Faculty Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Faculty Senate votes to consider the amendment at their next regular meeting.

Section 3.
At the next regular meeting of the Faculty Senate, if approved by two-thirds of the ballots cast, the change will be submitted to the University President.

Section 4.
When approved by the University President the changes shall become effective immediately.

Policy Change Cover Sheet

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

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

SECTION: Policy 133.1 Tuition Waiver – Spouse/Partner and Dependents

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Adding clarifying language to policy regarding use with other tuition waivers, specific programs and removing the in or out of state tuition waiver information.
   -

2. This policy change was originated by (individual, office or committee/organization):
   - HR/Payroll & Customer Account Services April 22, 2015
   - Brittnee.nikle@ndsu.edu and Karin.Hegstad@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	5/8/2015
Faculty Senate:	
Staff Senate:	5/14/2015
Student Government:	5/14/2015
President's Cabinet:	

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

North Dakota State University
Policy Manual

SECTION 133.1
TUITION WAIVER – SPOUSE/PARTNER AND DEPENDENTS

SOURCE: NDSU President
SBHE Policy Manual, Section 820.1

The North Dakota State Board of Higher Education allows campuses to adopt tuition waivers which are consistent with an institution's mission. The spouse/partner and dependent tuition waiver is intended to help recruit and retain faculty and staff who can best perform or support the teaching, research and public service mission of the University.

1. The spouse/partner and dependents of regular (broadbanded staff must be off probation), benefitted NDSU employees are eligible for the waiver effective Fall 2002.

1.1 Dependents are defined as those unmarried children (25 years of age or under if they are a full-time student, otherwise age 22 and under), who rely on the parent(s) for significant financial support.

1.1.1 A spouse/partner or dependent who is also a regular, benefitted employee is only eligible for the employee tuition waiver outlined in Section 133 (Educational Policy).

1.1.2 A spouse/partner or dependent who is eligible for this educational benefit is not eligible for the graduate assistant tuition waiver, the cultural diversity tuition waiver or other waivers which may duplicate benefits.

1.2 Partners are those who have completed and filed a Declaration of Domestic Partnership for Purpose of Tuition Discount Eligibility http://www.ndsu.edu/forms/ or https://www.ndsu.edu/fileadmin/hr/docs/Declaration.pdf with the Office of Human Resources/Payroll.

1.3 The spouse/partner and/or dependents must meet admission standards and register for classes through regular registration procedures.

1.4 The employee must be actively employed on the first day of each semester to be eligible for the waiver.

2. The tuition waiver is 50% of the tuition for NDSU classes (excluding internships that require tuition to be paid to the site for student placement and Professional Development non-degree eligible courses) per spouse/partner or dependent.

2.1

2.1 The maximum waiver for the spouse/partner or dependent of more than one eligible employee is 50%.

2.2 Fees are not waived.

2.3 The waiver applies to undergraduate, professional (Pharmacy) and graduate level classes.

2.4 Early Entry students will be eligible according to the terms of this policy.

3. Procedure

3.1 A Spouse/Partner and Dependent Tuition Waiver application needs to be submitted to the Office of Human Resources/Payroll by the Monday two weeks prior to the start of classes for which the waiver is requested. Given that conditions in this policy may change, it will be necessary to review the conditions of eligibility each term.

3.2 Proof of marriage, domestic partnership, and/or dependency may be required.

3.3 In accordance with federal regulations, the tuition waiver will be used as a financial resource and become part of the student's financial aid package. The Student Financial Services Office may need to adjust aid if the amount of the tuition waiver, along with other financial aid, exceeds the total cost of attendance.

3.4 No employee, spouse/partner or dependent who has an overdue accounts receivable balance with the University may receive a spouse/partner and dependent tuition waiver.

3.5 In accordance with IRS regulations, the value of the tuition waived for graduate level classes will be considered taxable income to the employee. Federal, state and social security taxes will be deducted in a lump sum from the employee's last paycheck of the semester, or, at the employee's written request, deducted on a prorated basis throughout the semester.

HISTORY:

New	April 2002
Amended	July 2003
Amended	April 2005
Amended	October 18, 2010
Housekeeping	November 17, 2011
Housekeeping	July 29, 2013
Amended	March 23, 2014
Amended	November 7, 2014
Housekeeping	January 2, 2015

Policy Change Cover Sheet

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SECTION: Policy 327- Evaluation of Academic Deans, Directors and Department Chairs and Heads

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ✓No
   - Describe change: adding Provost and FT Vice Provosts, Academic Vice Presidents, and FT Associate/Assistant Deans, to be evaluated under this policy; clarifying annual review and comprehensive review responsibilities; changing comprehensive review from every three years, to year three of initial appointment and every five years thereafter; streamlining evaluation criteria; separating evaluation procedure from policy.

     Please note that the attached procedures are provided as information to accompany the policy changes and do not need to be voted upon.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted: Commission on the Status of Women Faculty, working with the Office of the Provost – submitted 10-16-2015
   - Email address of the person who should be contacted with revisions: Karen.Froelich@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

SECTION 327
EVALUATION OF ACADEMIC ADMINISTRATORSACADEMIC DEANS, DIRECTORS AND DEPARTMENT CHAIRS AND HEADS

SOURCE: NDSU President
Faculty Senate

1. **Introduction**

North Dakota State University believes every university employee deserves regular evaluation of his or her professional duties as they relate to a formal job description and the university's needs. -This process should be transparent and constructivehonest, open, and forthright; including an acknowledgment of the employee's achievements, as well as an assessment of his or her ability to match the university's expectations, and a determination of areas needing improvement.

As tThis evaluation processpolicy pertainsrelates to the campus provost, full-time vice provosts, academic vice presidents who report to the provost, academic deans, full-time academic associate and assistant deans, directors of academic offices, and , chairs and heads., directors, and other academic supervisory personnel, -The evaluation process will include input from a variety of groups; faculty will play a major role in evaluation of academic administrators.it is expected that an evaluation will always emphasize areas of special achievement, while also identifying areas needing improvement. This should be a constructive and useful experience to be welcomed by the person being evaluated. It is a required part of an ongoing process designed to ensure that the person evaluated continues to meet both his or her own needs, as well as the needs of affected university publics.

2. **Annual ReviewTimetables**

Each administrator covered by this policy will be reviewed annually by the administrative supervisor to whom that person reports in accordance with Policy 167.

3. **Comprehensive Review**

All administrators covered under this policy will undergo a comprehensive review. Evaluation of deans, directors, and chairs will include input from a variety of groups. This document is designed to guide faculty, as they play a major role in evaluation of academic supervisors. It is expected that deans, chairs, and directors will be evaluated formallyThe first comprehensive review will be completed by the end of the administrator's third year of appointment. Subsequent reviews will occur at least every threefive years, to be completed by the end of the fifth year after the prior review. Interim reviews may be requested by the administrator or by the person to whom the administrator reports. -If a review indicates substantial areas of concern or lack of performance, the next review will be completed within two years of that review.The college or department Promotion, Tenure and Evaluation (PTE) committee, supervising administrator, or the employee himself/herself may request an evaluation.

4. **Common Review Criteria**

Review criteria should be based on the administrator's job description which may include, but are not limited to the following:
a) leadership, strategic planning and assessment;
b) administration and management;
c) commitment to institutional values including equity and diversity, academic freedom, and shared governance;
d) external relations;
e) service to the broad mission of the University.
The relative importance of evaluation areas will vary with position of the administrator; therefore some criteria above many not apply and others may be added.

5. **Procedures**

Reviews will be initiated by the administrator's supervisor, and must be conducted according to the Comprehensive Review Procedures for Academic Administrators.

Review committees – consisting of tenured faculty, relevant administrators, and staff – will be formed in accordance with the Comprehensive Review Procedures. The review committee shall prepare a report summarizing its findings for submission to the supervisor.

As personnel matters, reviews and any materials generated during the review process are confidential. The supervisor will provide a summary of the review for public distribution.

~~I. **Evaluation of academic deans and directors**~~

- ~~**Evaluation standards**~~

~~While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.~~

~~4. Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.~~

~~5. Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.~~

~~6. Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of chairs, faculty and staff, manages the dean's or director's office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other colleges, makes decisions in a timely fashion.~~

~~7. Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.~~

~~8. Instruction. Coordinates and implements curricula as developed by the faculty.~~

9. ~~Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.~~

10. ~~Development. Within the context of the college, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.~~

11. ~~Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.~~

12. ~~Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.~~

- ~~**Evaluation Procedures**~~

VI. ~~The Office of the Provost initiates evaluations of these administrators. To ensure faculty involvement, the faculty of a college or unit must organize a committee consisting of full-time non-administrative faculty at the assistant professor, associate professor, or full professor level. Members of the Evaluation Committee are recommended to the Provost the college or unit's PTE Committee, as appropriate under the evaluative charge of this group. However, members of the college's PTE Committee cannot appoint themselves.~~

VII. ~~The number of faculty on the committee may be flexible, but should total at least five. Evaluation Committee members should decide at an initial meeting the number of members constituting a quorum. A timetable should be set in consultation with the Provost or other senior administrative office to assure that the faculty evaluation material is ready in time to be included in the entire evaluation document.~~

VIII. ~~The Evaluation Committee will propose a written evaluation form based upon the formal job description, dean's statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the dean/director, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit responses from faculty, chairs, peer administrators, and others including classified staff, students, recent graduates, and external constituencies, if appropriate.~~

IX. ~~The Evaluation Committee will analyze the completed evaluation forms and prepare a committee evaluation report summarizing the findings for the Provost. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the college or division have changed, it may recommend to the Provost that the position description be changed.~~

~~X. Upon receipt of the committee's evaluation report, the Provost will also analyze and summarize the data. The Provost will then meet with the Evaluation Committee to determine consensus and discuss differences. The Provost will prepare a draft report of the final evaluation and provide it to the dean. The Provost will meet with the dean and discuss the findings of the Evaluation Committee. Following this meeting, a final evaluation report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the dean/director discuss this final evaluation report at a subsequent college or division faculty meeting.~~

~~XI. At any time, faculty or staff not on the committee, of course, may contact the Office of the Provost or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.~~

~~II. Evaluation of chairs and heads~~

- ~~**Evaluation standards**~~
  ~~While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.~~

- ~~Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.~~

- ~~Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.~~

- ~~Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of faculty and staff, manages the department office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other departments, makes decisions in a timely fashion.~~

- ~~Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.~~

- ~~Instruction. Coordinates and implements curricula as developed by the faculty.~~

- ~~Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.~~

- ~~Development. Within the context of the (college) unit, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.~~

- ~~Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.~~

- ~~Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.~~

  - ~~**Evaluation Procedure for chairs and heads**~~

    1. ~~Chairs also must be evaluated at least once every three years, with the dean of the college or the director of the unit initiating the evaluation process. The dean, in conjunction with the department faculty, will form an ad hoc committee consisting of at least three faculty members.~~

    2. ~~This ad hoc committee chair will propose a written evaluation form based upon the chair's formal job description, statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the chair, who will be invited to offer input before the document is finalized. The final evaluation form will be used to solicit response from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if appropriate, external constituencies.~~

    3. ~~The ad hoc committee will analyze the completed evaluation forms and prepare a report summarizing the findings for the dean. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed.~~
    4. ~~Upon receipt of the report from the Evaluation Committee, the dean will also analyze and summarize the data. The dean will then meet with the ad hoc committee to determine consensus and discuss differences. The dean will prepare a draft report and provide it to the chair. The chair will meet with the dean regarding the report. Following this meeting, a final report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the chair discuss this evaluation at a subsequent department faculty meeting.~~

    5. ~~At any time, faculty or staff not on the committee, of course, may contact the deans' office or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.~~

HISTORY:

New	July 1990
Amended	April 1992
Amended	January 1995
Amended	January 1996
Amended	February 1997

Amended	May 1997
Amended	January 2003
Amended	October 2007
Housekeeping	February 14, 2011
Housekeeping	July 12, 2013

COMPREHENSIVE REVIEW PROCEDURES ADAPTED FROM SECTION 327 EVALUATION OF ACADEMIC ADMINISTRATORS

1. Introduction

In addition to annual review, full-time academic administrators are subject to comprehensive review in their third year of initial appointment and at least once every five years thereafter. The comprehensive review process for academic administrators follows the guidelines described below.

2. Evaluation of Provost, Vice Provosts, and Academic Vice Presidents

a) **Initiating evaluation.** Reviews will be initiated by the administrator's supervisor. A review committee will be formed, consisting of tenured faculty, relevant administrators and staff.

b) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

c) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

d) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from peer administrators, deans, chairs/heads, and appropriate faculty, staff, students, and other constituents. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

e) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the supervisor. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes

the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the immediate supervisor regarding the review committee's report.

f) **Supervisor report and action plan.** An evaluation report will be written by the immediate supervisor, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The supervisor will meet with the administrator to review the evaluation report and action plan. The final supervisor's report and action plan will be placed in the administrator's personnel file.

g) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

3. **Evaluation of Academic Deans**

a) **Initiating evaluation.** The Office of the Provost initiates evaluations of academic deans (including dean of the graduate school and dean of libraries).

b) **Forming the review committee.** To ensure faculty involvement in evaluation of college deans, members of the review committee are recommended to the provost by the college or unit's PTE committee. Members of the PTE committee cannot appoint themselves as a group. The review committee must consist of full-time non-administrative faculty, as well as relevant staff and other constituents. The number of faculty on the committee may be flexible, but should total at least five, including at least three tenured faculty members and two full professors. Assistant professors may serve, as long as the tenured faculty minimum is met. To ensure constituent involvement in evaluation of the dean of the graduate school and the dean of libraries, members of the review committee are recommended to the provost by the executive committee of the faculty senate. The review committee must consist of tenured faculty and relevant administrators and staff. A majority of any review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the provost or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the dean's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the dean, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, chairs/heads, peer administrators, and others including classified staff, students, recent graduates, and external constituencies. Additional input from interviews or other solicited/contributed

materials may be considered. Both the review committee and the provost can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the dean's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the provost. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the college have changed, it may recommend to the provost that the position description be changed. The chair of the review committee will meet with the provost regarding the review committee's report.

g) **Provost's report and action plan.** An evaluation report will be written by the provost, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The provost will meet with the dean to review the evaluation report and action plan. The provost's final evaluation report and action plan will be placed in the dean's, official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the committee may contact the review committee or provost with comments or concerns relating to the person being evaluated.

4. Evaluation of Chairs and Heads

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of chairs or heads. The process for annual feedback may be determined by the department.

b) **Initiating evaluation.** The dean of the college or director of the unit initiates review of chairs and heads. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the dean to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the chair or head's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the chair or head, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if

appropriate, external constituencies. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the dean can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the chair or head's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The dean will meet with the chair or head to review the evaluation report and action plan. The final dean's report and action plan will be placed in the chair or head's official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or deans' office or other appropriate supervising officer directly with comments or concerns relating to the person being evaluated.

5. **Evaluation of Associate or Assistant Deans and Directors**

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of associate or assistant deans and directors. The process for annual feedback may be determined by the college.

b) **Initiating evaluation.** The supervising dean initiates the evaluation of associate or assistant deans and directors. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders based on the individual's job description. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant evaluation criteria that apply in this context. A draft of the adapted evaluation form will be

made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from members of groups impacted by or involved with the work of the associate/assistant dean or director (such as faculty, staff, peer administrators, deans, chairs/heads, students, and other constituents). Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The dean will meet with the administrator to review the evaluation report and action plan. The final dean's report and action plan will be placed in the administrator's personnel file.

h). **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

NDGEC's proposed change to 403.7

Current Policy

SUBJECT: 400s: Academic Affairs EFFECTIVE: November 19, 2009

Section: 403.7 Common General Education Requirement and Transfer of General Education Credits

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1. The following common general education requirement applies to all Associate of Arts, Associate of Science and Bachelor's degrees, except the BAS degree at University System institutions:

General Education Area	**Minimum Required Lower Division Semester Hours**
Communications	9
Arts & Humanities	6
Social Sciences	6
Mathematics, Science & Technology	9
Institutional Specific (must be chosen from one of the following four categories: communication, social sciences, arts and humanities, and/or mathematics/science & technology)	6
Total	36

2. Within the stipulated general education areas, each institution shall indicate in its catalog and other student advisement materials the institution's courses approved for general education. University System institutions may establish program and institution specific general education requirements in addition to the requirement stated in subsection 1.
3. General education courses accepted by any University System institution count upon transfer toward the general education requirement at all institutions in one of the following ways:
   A. A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work meets the general education requirement of the institution from which the student transfers and satisfies the common general education requirement stated in subsection 1. Students completing Associate in Science and Associate in Arts degrees at system campuses meet the lower division general education requirements identified in subsection 1.
   B. Receiving institutions may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions, based on the requirements listed above in subsection 1.
   C. In all other cases, general education courses from the areas in subsection 1 apply to the appropriate general education requirement of the institution to which the courses are transferred and the number of credits required to complete the general education requirement in each area is determined by the policies of the institution to which the courses are transferred; or
   D. Pursuant to guidelines established by the Chancellor for the acceptance of Advanced Placement (AP), College Level Examination Program (CLEP), International Baccalaureate (IB) and DANTES Subject Standardized Tests (DSST) scores for academic credit.
4. Articulation agreements between the North Dakota University System and other institutions may enable the transfer of general education credits as a completed unit pursuant to guidelines established by the Chancellor.

Reference: NDUS Procedure - 403.7.2 403.7.3

NDGEC's Proposed Policy Revision

SBHE Policies

<< return

SUBJECT: 400s: Academic Affairs **EFFECTIVE:** November 19, 2009

Section: 403.7 Common General Education Requirement and Transfer of General Education Credits

---

1. The following common general education requirement applies to all Associate of Arts, Associate of Science and Bachelor's degrees, except the BAS degree at University System institutions:

General Education Area	Minimum Required Lower Division Semester Hours
Communications	9
Arts & Humanities	6
Social Sciences	6
Mathematics, Science & Technology	9
Institutional Specific (must be chosen from one of the following four categories: communication, social sciences, arts and humanities, and/or mathematics/science & technology)	6
Total	36

2. Within the stipulated general education areas, each institution shall indicate in its catalog and other student advisement materials the institution's courses approved for general education. University System institutions may establish program and institution specific general education requirements in addition to the requirement stated in subsection 1.

3. General education courses accepted by any University System institution count upon transfer toward the general education requirement at all institutions in one of the following ways:

   A. A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work meets the general education requirement of the institution from which the student transfers and satisfies the common general education requirement stated in subsection 1. Students completing Associate in Science and

Associate in Arts degrees at system campuses meet the lower division general education requirements identified in subsection 1.

B. Receiving institutions may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions, based on the requirements listed above in subsection 1.

C. In all other cases, general education courses from the areas in subsection 1 apply to the appropriate general education requirement of the institution to which the courses are transferred and the number of credits required to complete the general education requirement in each area is determined by the policies of the institution to which the courses are transferred; or

D. Pursuant to guidelines established by the Chancellor for the acceptance of Advanced Placement (AP), College Level Examination Program (CLEP), International Baccalaureate (IB) and DANTES Subject Standardized Tests (DSST) scores for academic credit.

E.

4. Articulation agreements between the North Dakota University System and other institutions may enable the transfer of general education credits as a completed unit pursuant to guidelines established by the Chancellor.

5. Upon review and recommendation for approval by the North Dakota General Education Council and the Academic Affairs Council and with the approval of the NDUS Chancellor, an NDUS institution may offer an alternative general education program, providing it includes all of the LEAP Essential Learning Outcomes approved by the North Dakota General Education Council and it totals at least 36 semester credits.

   A. Any credits earned for general education at a University System institution or any participating GERTA institution under an approved alternative general education program will be accepted for general education credit by all University System institutions or all participating GERTA institutions.

   B. A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work satisfies an alternative general education program approved under subsection 5. Students completing Associate in Science and Associate in Arts degrees at system campuses meet the lower division alternative general education program approved under subsection 5.

   C. Alternative general education programs approved under section 5 may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions.

   D. General education courses from an alternative general education program, approved under subsection 5, apply to the appropriate general education requirement of the institution to which the courses are transferred. Credit required for completing any alternative education program should be consistent with each General Education Area specified in subsection 1 or each of the LEAP Essential Learning Outcomes approved by the North Dakota General Education Council, either by including credits from courses in each area of subsection 1 or by aligning outcomes achieved to each General Education Area

   E. Alternate general education programs are permitted to accept scores for academic credit as outlined in the Chancellor's guidelines for acceptance of Advanced Placement (AP), College Level Examination Program (CLEP), International Baccalaureate (IB) and DANTES Subject Standardized Tests (DSST) scores for academic credit.

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Reference: NDUS Procedure - 403.7.2 403.7.3

History:
New policy. SBHE Minutes, June 19, 1998, page 6903.
Amendment SBHE Minutes, May 30, 2001.
Amendment SBHE Minutes, February 21-22, 2002.
Amendment SBHE Minutes, September 18, 2008.
Amendment SBHE Minutes, December 18, 2008.
Amendment SBHE Minutes, November 19, 2009.

FAQs Regarding Proposed Revisions to SBHE Policy 403.7: Common General Education Requirement and Transfer of General Education Credits (GERTA)

Recommendations by the ND General Education Council, approved unanimously by that group.

1. **What is the ND General Education Council (NDGEC)?**
   The NDGEC is a grass-roots advisory group with representatives from all NDUS institutions, as well as the private and tribal colleges, who meet to share best practices and discuss ways to support general education in the state. Members are faculty, staff, and administrators. The group's constitution can be found here: http://www.ndus.edu/uploads/resources/2515/constitution-of-the-nd-general-education-council.pdf

2. **What is the goal of this proposed revision?**
   The goal is to allow a pilot program in which an NDUS institution can develop an approved alternative general education program "providing it includes all of the LEAP Essential Learning Outcomes approved by the North Dakota General Education Council [written communication, oral communication, quantitative literacy, critical & creative thinking, and breadth of knowledge] and it totals at least 36 semester credits."
   a) The revision allows the general education of an NDUS campus to focus on what students actually learned, not just on what courses they took.
   b) Our regional accreditor (the Higher Learning Commission) and our various specialized accreditors (ABET, AACSB, NCATE, etc.) similarly ask us to provide evidence of what our student learn, not just the courses they take.

3. **Why is this revision needed?**
   a) The present General Education Areas in SBHE 403.7 restrict innovation, allow limited institutional autonomy, and focus on traditional disciplinary categories rather than broader learning outcomes such as critical thinking, integrated learning, etc.
   b) The revision allows for much greater flexibility so that a campus could create a general education program that is most suited to its particular mission.

4. **What is unchanged?**
   a) The seamless transfer among NDUS institutions is still guaranteed.
   b) No NDUS institution will be required to revise its general education.

5. **What is procedure for an action like this? How does a proposal from the NDGEC move forward?**
   SBHE policy changes are subject to review and recommendation by the Academic Affairs Council, the Chancellor's Cabinet, and the Chancellor. The SBHE approves revisions to SBHE Policy.

6. **What is the NDSU Faculty Senate being asked to do?**
   Because of its commitment to transparency and open communication, the NDGEC informed the Council of College Faculties (CCF) about this proposal. CCF is asking all of the Senates to weigh in on whether they think it's a good idea to support NDGEC's recommendation for a more flexible state policy regarding general education that allows campuses to orient their general education toward national outcomes, yet still retains the transfer agreement. The response of each faculty senate and CCF is important, but the next step is in the hands of the Academic Affairs Council.

7. **Can the NDSU Faculty Senate suggest revisions?**
   Certainly. As noted in 5, there will are multiple points at which any proposed policy can be revised.

Revised on 12.07.2015

NDSU Faculty Senate

3:30 pm, 25 January 2016

Prairie Rose, Memorial Union

Agenda

I. Call to Order

II. Attendance

III. Approval of 14 December 2015 minutes

IV. Consent agenda
   a. Approval of the Fall 2015 graduates (attachment 1)
   b. Academic Affairs Committee Report (attachment 2)
   c. Policy changes (attachment 3) (All housekeeping changes/information only)
      - 183 Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff
      - 220 Staff Job Discipline/Dismissal
      - 515 Travel - Employees

V. Announcements
   a. Dean Bresciani, President
   b. Beth Ingram, Provost (attachment 4)
   c. Dennis Cooley, Faculty Senate President
   d. Katie Gordon, Faculty Senate President-Elect

VI. Senate Committee Reports
   a. Faculty Senate Bylaws Committee (attachment 5)
   b. General Education Committee (attachment 6, attachment 7, and attachment 8)

VII. Unfinished Business
   a. Policy 327 – Evaluation of Academic Deans, Directors and Department Chairs and Heads. (attachment 9)

VIII. New Business
   a. Policy 151 Code of Conduct (attachment 10)
   b. Policy 337 Examinations and Grading Appeals Board (attachment 11)
   c. Policy 350.4 Board Regulations on Hearings and Appeals (attachment 12)
   d. Policy 713 Records Management (attachment 13)
   e. Policy 713.1 Litigation Hold (attachment 14)
   f. Policy 352 PTE (attachment 15)
   g. NDGEC's request to change SBHE policy 403.7 forwarded from CCF (attachment 16)
   h. Program and Department fit within university's strategic plan – discussion

IX. Adjourn

NORTH DAKOTA STATE UNIVERSITY
Fall 2015 Graduates
Degree Conferral Date: December 18, 2015

College of Agriculture, Food Systems, and Natural Resources

Bachelor of Science
Blake Wayne Abraham
Scott Michael Alm
Kelsey Marie Amborn
Alexander Michael Andel
Bryce James Andersen
Bayleigh Marie Antonsen
Hannah J. Bakke
Derek Lee Bendickson
Amber Jade Benham
Travis Ethan Benson
Eric Lee Braaten
Ty Michael Bruner
Ellen Mae Buysse
Grace Elizabeth Cabarle
Patrick Stephen Champa
Jacob John Chisholm
Christopher Thomas Connolly
Nicholas Anthony Conzemius
Daniel Jeffrey Coombe
Markas Todd Dahl
Christina Frances Dulik
Erin Margaret Endres
Ross Mitchell Erickson
Brett Gregory Fellbaum
Kara Marie Froelich
Arielle C. Glaspie
Sarah Marie Glewwe
Stephanie Megan Gross
Joe Helmer Grotsun
Kayla Marie Haglund
Bryn Anndi Halley
Adam Michael Hansen
Tia Rae Haugrud
Aaron Michael Helbling
Kade Luke Hilde
Cassandra E. Hillen
Tracy K. Hillenbrand
Ashley Ann Hoffmann
Marisa Shantel Holst
Jaden Michael Hunter
Cora Marie Huss
Jace Allen Ingebretson
Nettie Mae Johnson
Ryan Dale Johnson
Yuri Scott Johnson
Daniel Ronald Julson
Tristan C. Juran
Jacob Lambert Keller
Katharine Teresa Kelsven
Brent William Kemp
Dustin Alan Koska
Casey Grant Krieger
Callie Jean Krupke
Daniel Jacob Landman
Jacob Edward Langlie
Jaclyn K. Lee
Alexander Nicholas Lies
Benjamin Michael Lodoen
Elizabeth Anne Lovering
Katherine R. Mahoney
Tyler Scott Mahrer
Mitchell James Maki
Michael Anthony Mann
Elizabeth Amber Mars
Amy Eileen McConnell
Adrian A. McInnes
Margaret Sue Meacham
Abdikadir Osman Mohamed
Jared William Monsebroten
Karley Lynn Morgenson
Timothy Richard Mueller
Austin John Musland
Colby Robert Nordstrom
Austin Robert Patten
Brady Allen Paul
Jacob Patrick Perius
Ian Thomas Pritchard
Alec Boyd Reimche
Aaron Jeffrey Remick
Brady Charles Richter
Evan Roland Robertson
Dalton John Rolland
Jean Lorraine Rosenau
Tanner E. Rothstein
Megan C. Ruch
Shawn S. Sanford
Amy Lea Scegura
Brian Charles Schaetz
Malinda Kathrine Scherf
Nicholas James Schimek
Lindsey Schmidt
Isaac James Schnabel
Amanda Jane Schnase
Danielle Mae Schuler
Brady Brian Schulzetenberg
Kristi Rose Schweiss
Shelby Delila Seifert
Adam Thomas Sherden
Michael Ambrose Spieker
Bryan Steven Sprenger
Alex Riley Stamp
Garrett R. Steward
Abby Jordan Sumption
Spencer Terry Symington
Megan Elizabeth Totenhagen
Jacob Wayne Tranby
Emily Marie Tucker
Danindu Ariyathilake
Stacie Lea Urbach
Kaitlin Rose Van Horn
Sarah Louise Walker
Grant Thomas Woinarowicz
Mathias Lawrence Zastrow

Master of Science
Mohammed Saad Alkhuriji
Zhuyun Bian
Lakshan Fonseka Gunawardena
James Joseph Gaspers
David J. Hertsgaard
Nathan James Hulinsky
Gayan Kanishka Kariyawasam
Victoria C. Kennedy
Hans Walter Klopp
Yangxi Liu
Narendra Malalgoda
Maniruzzaman
Melissa Catherine McCann
Suvash Shiwakoti

Doctor of Philosophy
Rakesh Awale
Francisco Bittara Molina
Yuanyuan Gao
Renata Jung
Kasia Marie Kinzer
Santosh Sharma
Rui Wang
Jason D. Zurn

College of Arts, Humanities, and Social Sciences

Bachelor of Arts
Ramla Ali Ibrahim
Shawn Ryan Mohr
John Elijah Roach
Matthew Allen Wagenius

Bachelor of Fine Arts
Nathan Myron Bailey
Rebecca Jean Kelly
Jayce Faye Kraviec

Bachelor of Landscape Architecture
Patrick Reilly O'Keeffe

Bachelor of Music
Michael John Mettler
Jacob David Olsen
Zachery Tyler Pavlicek
Richard John Schrom

Bachelor of Science
Jarl Allen Abrahamson
Jenae Estelle Adams
Rachel A. Bakke
Luke Daniel Bakken
Tanya Lucia Birklid
Brittany Catherine Bleich
Sara Marie Boppre
Kristen Renae Bouwens
Chelsea LeAnn Brown
Christopher L. Camara
Eric Austin Clay
Cassandra Ann Coghill
Nicholas Robert Conner
Alex Landon Eberhardt
Bradley Erling Egeland
Wyatt Lee Epple
Emily Ann Erickson
Trevor Christian Folke
Mary Christina Freitag
He Gao
Grant Harlow Genovese
Michael Adam Goulet
Charles Frank Greywitt
Rachel Ann Grider
Alex John Hendrick

Thomas James Houle
Lauren Louise Hovden
Karissa Dana Johnson
Catrina Alfhild Kelm
Brandon Michael Kerr
Sarah Catherine Knopik
Sadie Rose Kolke
Meghann Rose Kuhlman
Thomas Alfred Kyllo
Madelyn May La Pierre Baasch
Jacob Michael Ladenthin
Sierra Marie Likens
Maggie M. Lorenz
Allie Kay Lott
Morgan F. Mairs
Joshua Jerome Majeski
Nathaniel Fredrick Manning
Madelyn Ashley May
Nicole Catherine McArthur
Briley Lucas Messer
Renae Lynn Metzger
Lucas Loren Mock
Samuel James Monson
Katherine Marie Mortenson
Bryce Robert-Peter Murchie
Terrance Emil Nelson
Patrick Reilly O'Keeffe
Dennis John Olsen
Joy Lynn Olson
Lucas Alex Paper
Brittany Lynn Paulus
Edward Allen Pavek
Alix Marie Pearson
Meghan Rose Pegel
Adam Mitchell Pflipsen
Lacey Michelle Pickard
Kayla Rachelle Remer
Ryan John Remke
Cassandra Rose Rohlfing
Benjamin Edward Rutter
Chelsea Nicole Sandwick
Katherine Ruth Schmit
Erika Jen Schneider
Olivia Marie Scott
Tyler Mark Severance
Samantha Kiah Sherman
James G. Sink
Joel Gregory Sipper
Kayla Jo Sizer
Bethany Rose Smith
Connor Michael Smith
Jordan Zane Snyder
Hannah Marie Tepp
Erin Lynn Thompson
Allison E. Thorson
Bruce Nicholas Towers
Kenneth Micheal Ulrich
Joseph A. Vaske
Christopher William Well
Stephanie Jo Wieler
Katie Marie Youmans
Andrew Verne Younker
Amber Kristine Zolondek

Bachelor of Science in Architecture
Rebekah Anne Gurule
Leigh Ann Marie Mehs
Sophie Kyle Miller

Master of Architecture
Polly Allen Prins
Michael Allen Wretling

Master of Arts
Ibtissem Belmihoub
Amy Elaine Duchsherer
Nesreen A. Eldoliefy
Daniel Victor Wakefield

Master of Music
Shantel Marie Twogood

Master of Science
Breanna C. Koval
Jonix Atieno Owino
Jennifer Cathline Pruett

Doctor of Musical Arts
Mary Ermel Walker

Doctor of Philosophy
Emmanuel Nzengung Nojang
Heather Marie Steinmann

College of Business

Certificate
Benjamin Berry LeCompte
Joseph Daniel Winter

Bachelor of Science
Adil Mohamed Hamad Abdelnour
Ashley Lynn Abraham
Logan Joseph Ackerman
Saad Mohammed Alajlan
Amanda Robertine Albertson
Jasper Darrin Asplin
William David Ayers
Lauren Marie Becker
Tashana Elizabeth Bergren
Michael Alan Bigwood
Abigale Mary BlackCloud
Austin Howard Boe
Andrew Michael Bonnet
Joseph Michael Bontje
Justin James Brendel
Trevor John Clarity
Jedre Brian Cyr
Logan M. Dahlgren
Rabei Hassan Damlakhan
Alex Edward DeConcini
Chad Joseph Dehler
Brittany Jean Diederich
Jenece Erfle
Mitchell Todd Erickson
Alexandra Noelle Evenson
Alexander Dean Fausti
Xiuya Feng
Michaela Delaney Baggenstos
Erik Michael Fitterer
Jay Thomas Flaa
Sha Fu
Jenna Elizabeth Galegher
Cory Paul Goehner
Michael Timothy Graff
Erika Marie Guthmiller
John Mitchell Hagen
Jason Steven Harmon
Anna Veronica Haugen
Bryce Christian Heustis
Timothy Lee Holzer
Adam Mitchell Houle
Ashley Mae Huber
Adityee Jain
Trevor Wallace Jaunich
Amidu Daddy Jusu
Bryce Steven Karel
Ryan Karl
Jacob Henry Knoll
Owen Paul Korcuska
Alexander James Lacey
Jeremiah Mark Landon
Yuan-Chi Lee
Alyssa Kay Lewis
Leilin Li
Kyle Robert Lidberg
Tyler Douglas Liebl
Craig Thomas Lindseth
Chenggang Liu
Andrew Francis Mangan
Chontay Joy Mastel
Shane Logan McGrath
Nathaniel David Moody
Nathan Conrad Olson
Ewhuiknebueze Jones Ordu
Taylor John Parker
Allison Rose Petermann
Katherine Jo Potter
Jacob William Redepenning
Zachary Allan Remple
Jocelyn Renae Ripley
Aaron Philip Sabin
Charles Michael Schmitz
Ryder Austin Schwagler
Dixon Troy Schwan
Kimberly Amia Sisk
Alexander James Smith
Michael William Smith
Rui Song
Tyler Mark Sorenson
Drew Daniel Spooner
Jacob Paul Strand
Zhen Sun
Hunter James Swanke
Zachary Lee Swanson
Nils Newman Tang
Alexandrya Marie Thiesing
Hanna Lynne Thompson
Karly Joanna Thompson
Christel Marie Thorsell
Tyler D. Toy
Anthony Allen Trevis
Ashley Faith Trevis
Michael Wayne Tufte
Matthew Allen Tufto
Taylor Lea Wade
Juncheng Wang
Kaylee Lynn Ward
Rachel Lynn Wells
Jody R. Wendt
Ty Zachary Wilson
Jocilyn Marie Wimmer
Joseph Daniel Winter
Stephanie Lynn Woodley
Qirui Ye
Manlin Zhang
Tianxin Zhu

Master of Accountancy
Yasitha Mawella Vithanage
Ruth Nakawungu
Carleen Elizabeth Terres
Elizabeth Mary Winkels
Peishan Yang

Master of Business Administration
Eric R. Christianson
Phuc Le Hong Nguyen
Merennage Ravin Nalindra Salgado

College of Engineering

Certificate
Moh'd Jawad Albakri
Brent Anders Lundstrom
Adedeji Olukoya Osinubi
Donavan S. Rogness

Bachelor of Science in Agricultural and Biosystems Engineering
Bethany Anne Biallas
Jesse Q. Cickavage
Ryan Channing Larson
Matthew James Mortenson

Bachelor of Science in Civil Engineering
Ryan Cole Brown
Kevin A. Cernik
Laura Elizabeth Clarens
Christopher J. Dahn
Monte Dean Deis
Dylan Joseph Dunn
Mason Aaron Eisenzimmer
Kellen John Grubb
Douglas Alexander Hansen
Carissa Ann Keller
Benjamin Phillip Kugler
Derek T. Lalim
Kyle Reese Ogren
Priyan Subhagya Pallege
Shaun Patrick Parsons
Mark T. Pederson
Nicholas Lee Powers
Jordan W. Prazak
Tylor James Steffens
Matthew Mark Suek
Logan Brett Tretter
Sarah Louise Walker
Kyle A. Wang

Bachelor of Science in Computer Engineering
Jordan Thomas Birrenkott
Nicholas Kenneth Blonigen
Jared Isaac Green
Abhishek Gupta
Christopher Scott Jordan-Denny
Saurabh Sharma
Igor A. Simanovich

Bachelor of Science in Construction Engineering
Tyler Brian Gandrud
Anthony J. Leighow
Jonathan Laurel Pistorius
Justin Joseph Weigel

Bachelor of Science in Construction Management
Ryan Mitchell Beyer
Walker Lee Busse
Michael J. Clarys
Brittany Jean Diederich
Keenan John Hemming
Michael Casey Jones
Jesse Lee Kieper
Michael James Murphy
Matthew Michael Nilson
Seth Thomas Provost
Adam Richard Snelgrove
Brenton James Umlauf
Xinyuan Yang

Bachelor of Science in Electrical Engineering
Momodou Faja Barry
Mark Jason Benolken
LaMarr John Boehm
Andrew Bryan Bossert
Dale Robert Bromenshenkel
Jedediah Gene Ellenberg
Sean Richard Klaseus
Casey Scott Larson
Jacob Dennis Leerssen
Wyatt Arvi Linstad
Nicolette Rose Constance Lippert
Wesley Richard Mason
Taren Geddes McCullough
Matthew Raymond Pelfrey
Jenna Marie Stephanie Pender
Tanner Robert Scheidecker
Gabriel Lee Schur
Abhishek Sharma
Benjamin Jacob Sherman
Andrew Vu Tran
Bharat Verma
Joshua Paul Vetter
Gabriel Dennis Wicklund
Nicholas Charles Woinarowicz
Kaiwen Zhou

Bachelor of Science in Industrial Engineering and Management
Tingjun Chen
Madeline Marie Hager
Logan Michael Hahn
Siyu Hou
Stephen Thomas Kriegler
Kjell Arnold Kroh
David Martin Mills
Nicholas Joseph Schmitz
Austin James Simonieg
Megan Colleen Supan
Matthew Scott Trana

Bachelor of Science in Manufacturing Engineering
Cooper Gene Bierscheid
Kyle Younger Johnson
Jacob Rinne Lesar
Jacob D. Markson
Justin G. Paulson
Neil Matthew Worms

Bachelor of Science in Mechanical Engineering
Andrew Taylor Amundson
Bjorn Gaspard Anderson
John Carl Anderson
Benjamin Alvin Berntson
Xingyu Chen
Yusheng Chen
Tanner Russel Eull
Nicholas Frank Fruci
Cody Randal Geiser
Michael Steven Gerlach
Alexander John Gibas
Matthew Edward Gingrey
Jacob R. Gunelson
Meranda Jean Hennen
Karry Alan Hoganson
Abraham David Kolstad
Nathan Bernard Kukson
Michael Charles Leach
Tyler J. Loll
Matthew Leon Louwagie Gordon
Matthew Thomas Madsen
Caleb Gregory Meide
Andrew James Norris
Alan James Perrault
Aaron Michael Perry
Richard Roy Poppler
Rachelle Lynn Rambur
Emily Marie Raymond
Joseph Patrick Rogers
Mitchell Lee Sellman
Alexander Cole Sinclair
Nicholas Jon Struve
Michael Joseph Tolbert
Ronald Allan Tollefson
Andrew John Van Keulen
Scott Andrew Wheeler

Master of Construction Management
Brandon Lee Bonderson
Hilary Roland Bryant, Jr.
Katie Zoe Loughmiller
Om Prakash Nekkanti
David Noland Young

Master of Science
Hussien S. Al Bataineh
Druhin Bala
Joshua Christopher Borglum
Jared W. Hansen
Peter Jacob Hettwer
Jingyi Sun
Andrew James David Taylor
Christopher A. Taylor
Xiao Wang
Guangjing You
Xing Zhuang

Doctor of Philosophy
Dhan Prasad Gautam
Rizwana Irfan
Zahid Mahmood
Ehab Noureldin
Yidong Peng
Muhammad Nadeem Rafiq
Asghar Rezaei
Hesam Sarvghad Moghaddam
Juan Vargas-Ramirez

College of Graduate and Interdisciplinary Studies

Master of Natural Resources Management
Erik Peter Wermel
Master of Science
Wei Jiang
Danijela V. Ljepoja
Meridith A. Ramsey
Simerjot Kaur Virdi

Doctor of Philosophy
Chunju Gu
Daniel Kevin Margarit
Christopher Samuel Olson

College of Human Development and Education

Certificate
Renee Jeneanne Bourdeaux
Shanda D. Lauer
David Charles Mettler

Bachelor of Arts
Mikaela M. Walker

Bachelor of Science
Kelsey Jo Aakre
Brianna Kathryn Allen
Hannah Renae Andring
Carly Elizabeth Arett
Stephanie Atkinson
Samantha Lynn Baglivio
Macy Alexandria Barrett
Hannah Blanche Belk
Nicole Suzanne Benson
Rebecca Marie Bidwell
Victoria Shirleen Bordlemay
Ben Roger Borgerding
Callie Jo Bowen
Jordan Nicole Brown
Samuel Parker Burns
Quincy Ivan Carter
Natasha Ann Cary
Emily E. Champa
Jordan Anthony Champion
Laura J. Cisewski
Katrina Lynn Citterman
Charis Condon
Kaitlin Elizabeth Crowdus
Carolyn Marie Dahlquist
Sarah Kathleen Deyle
Kaitlyn Shelby Dotson
Michael Scott Feickert
Kaylee Mae Fisher
Megan Christine FitzSimmons
Megan Marie Fogelson
Joshua Alan Formaneck
Presley Anne Forward
Kathryn Ann Fronning
Lacey Starr Gebro
Ashley Marie Gehl
Ingrid E. Grande
Leah Helen Gullickson
Lauren Therese Gunter
Ana Maria Guttromson
Samuel Luther Hanson
Stephanie Lynn Hoard
Jamie R. Hodgson
Kalyn A. Horvey
Rachel Marie Iverson
Jaime Catherine Marie Jarmin
Alexandra Emily Jenkins
Holly Taylor Johnson
Nicholas James Kaczmarczyk
Haley Rose Kaspari
Trent Andrew Keefer
Dylan Andrew Kopischke
Caitlyn Jo Krueger
Corey Dean Landowski
Rachel Marie Lawton
Benjamin Berry LeCompte
Mackenzie Marie Lockwood-
Katelin Rae Madsen
Morgan C. Martin
Tashina Marie Maruska
Jenna Grace McKay
Taylor Chase McMillan
Kayla Jean Meehan
Krista Jo Menke
Courtney Lynn Miller
Leah Miller
Madison Sara Millner
Jordan Marie Novacek
Christina V. Nystrom
Odeline Oriental
Brittany Anne Paulson
Emily Kay Pearson
Stephanie Marie Raguse
Ashley Alexis Renton
Alaina LaRae Ritchie
Nicole Irma Rivera
Scott T. Rorvig
Courtney Lynn Rudolph
Cole Matthew Sandford
Hope Katherine Sapp
Rachel Margaret Schmidt
Katherine Marie Scholz
Wen Min See
Charles Smith
Tanner Richard Steffan
David Michael Stookey
Sarah M. Storandt
Breanna Mae Stout
Louise Marie Tegtmeier
Elizabeth LaVonne Temple
Kara A. Thomas
Tyler Nathan Tweet
Blayne Richard Waselk
Emily Karin Weis
Paisley K. Wurgler

Master of Education
Stacy L. Adamson
Jessica Ann Brown
Jennifer L. Colter
Megan Nicole Diemert
Michael Shawn Dobberstein
Adam Michael Dodd
Hollyanne E. Duda
Sheena Audrey Johnson
Christopher D. Kalsow
Katherine Lynn Laubenstein
Kaelen Frick Napoleon
Lauren Ebsen Olsen
Andrew L. Potter
Hanna NM Puetz
Holly Renae Strand
Debra H. Uetz
Molly Westphal

Master of Science
Dawn Renee Baldwin
Mary M. Bartram
Jennifer Lynn Christofferson
Emily Marie Corturillo
Melissa Anne Dau
Megan Eileen Kirby
Ali Nila
Amanda Pieters
Margaret Mary Pulkrabek
Sara Josephine Raap
Elizabeth A. Schwartz
Debra Ann Shapiro
Brett A. Thielges

Doctor of Education
Miriam B. Tobola

Doctor of Philosophy
Julie Lynn Nash

College of Health Professions

Bachelor of Science
Salam Mohammed Alanazi
John Donavon Anderson
Matthew Eugene Bernu
Jenae Andrea Dabill
Deena N. Dahal
Danielle Nicole Engel
Gregory Laduna Fondong
Benjamin Hunter Graf
Bobbi Lee Kramer
Steven Anthony Lewis
Hannah Marie Magrum
Brandon Lee Nelson
Renee S. Sina
Allison Marie Van Zuilen
Gina Christine Vosberg

Bachelor of Science in Nursing
Caitlyn A. Albert
Chesney Ann Arneson
Rachel R. Bachmeier
Andrea K. Berglund
Amity Marie Blohm
Cheryl Brant
Rebecca J. Buchholz
Yoshiko Coyle
Sabrina Mire Elmi
Kristi Jo Erickson
Jon Michael Esperum
Julie Marie Faure
Nichole Angelique Fields
Brittany Lee Fulsebakke
Stacy Lynn Galbraith
Marissa C. Gieszler
Jenna M. Grinsteinner
Esther Marie Gunderson
Rachel Amelia Hanneman
Alexa Nicole Hanson
Anna Leigh Hanson
Fawzia Ahmed Hassan
Megan J. Hilzendeger
Amanda M. Humann
Christina Leigh Jones
Brandi L. Kastner

McKenzie Jade Klein
Karalyn R. Klipfel
Kelly Elizabeth Lake
Jessica E. Lybeck
Lindsey Mary Markel
Garrett Lee Mindt
Nicole Yvonne Moore
Jori J. Nies
Rachel Joyce Olson
Ashley Catherine Phillips
Cabbrina Pat Plainfeather
Dustynn Marie Quiggle
Lauren L. Ritter
Cody C. Schumacher
LeeDawn Marie Snider
Kathleen R. Steffan
Kelsey Jo Strahm
Matthew William Sullivan
Stephanie Elizabeth Sullivan
Karla Ann Thielges
Shannon Ware
Luz Marina Weltikol
Michael Thomas Winegar
Carson Scott Winkels
Paula Joan Youngerman

Master of Public Health
Nasra Omar Osman

Master of Science
Allison Kathleen Danzl

Doctor of Pharmacy
Hiral Rajiv Bhatt
Matthew Charles Osebold

Doctor of Philosophy
Shuang Zhou

College of Science and Mathematics

Certificate
Jill Fabricius Keith
Myungwoo Lee
Yujuan Wang

Bachelor of Arts
Jonathan Kristopher Allen
Nicole Angeline Dahl
Madeline Marie Gordon
Ryan John Remke
Jimena D. Schroeder
Megan Rachel Sennie
Faye Kimberly Stromberg

Bachelor of Science
Lucas F. Albers
Reily Grace Altenburg
Corey Christopher Arneson
Karlee Jo Beavens
Brooke Marie Bjerke
Kayla Alexis Bjorlie
Trevor Patrick K Brosius
Akshay Chaturvedi
Solji G. Choi
Tim Gene Cogger
Kevin M. Cortes
Katelynn Elizabeth Cox
Brandon David Ebersohl
Cassandra Daisy Hoffman
Samantha Joyce Holweger
Levi J. Horner
Wynn Rider Hoskins
Jessica Marie Hutchinson
Keeler Timothy Johnson
Langston M. Johnson
Monty Lee Johnson
Nicholas Edwin Johnson
Adit Joshi
Peter James Keefe
Taylor J. King
Brenton T. Knutzen
Malin Elese Kunerth
Megan Rose Lawler
Kaitlin Elizabeth Lindsey
Matthew Leon Louwagie Gordon
Logan Ray Martin
Gretchen Marie Merry
Abigail Jean Nelson
Nicole Susan Nelson
Ryan Richard Ness
Michael Larry Paavola
Kyle Lee Palmer
Michelle Jean Pierce
Cody Alexander Raeder
Alexander William Rieder
Nakiedra Shenae Robinson
Annette Ruiz
Amber L. Schneider
John Roger Schutz
Carl Michael Sheldon
Nikhil Singh
Alexander Paul Spacek
Riley D. Spiker
Tyler John Stadel
Becker Thomas Steinemann
Eugene Michael Stepan
Katelyn Helene Swearingen
Logan Tanner Thiel
Kevin John Thomas
Adam Daniel Toop
Calvin Derrick Trudel
Emily Christine Vinych
Joshua Stewart Warmbold
Allison Hulda Weisgarber
Michael Alan Welker
Anna Kathryn Well
Scott Dean Weninger
Taylor Kay West
Natasha Marie Westen
Brian Richard Willett
Jackie M. Wrage
Qianwen Yan
Samantha Jo Yineman
Parker Riley Zimmer

Master of Science
Abhishek Agarwal
Babitha Battu
Kevin Kaalz Bauer
Krittika Bhattacharyya
Megan Sue Bouret
Eric John Christeson
Chaitanya Dumpala
Srikanth R. Gagganapalli
Anisha Ginjala
Nathaniel Charles Grosz
Krishna Kanth Kambhampaty
Nicholas Jacob Kuvaas
Sowjanya Mattaparthi
Swapna Gautam Phadke
Prateek Rajan
Kekoura Sakouvogui
Rahul Sharma
Rupali Shevkar
Guilherme Volpe Bossa
Xing Xu

Master of Software Engineering
Zubeen Sahajwani
Ryan Richard Summey

Doctor of Philosophy
Meenu Baloda
Rahaf Barakat
Otto Jerome Borchert
Charith Chitraranjan
Thomas B. Dunn
Anant Singh Gurung
Semere Kidane Habtemicael
Jennifer Elizabeth Johnson
Steve Biko Wanjara

College of University Studies

Bachelor of University Studies
Jalee Rose Abrahamson
Ryan Michael Amundson
Neil Disse
Wesley Forrest Dunker
Morgan Winter Hessman
Andrew James Jones
Diandra Rae Knapper
Eugene H. Lee
Emily Christine Mielke
Russell Louis Ouart
Bailey Margaret Richardson
Brock Edward Russell
Andre Jermaine Smith
Jared Mark Swanson
Erin Adeline Wanner

Academic Affairs Committee Report
For Faculty Senate Meeting on January 25, 2016

New Courses				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
Uniform	191	Seminar	1-5	Summer 2016

Course Changes								
From:				***To:***				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
PHYS	455	Classical Mechanics	3	PHYS	**355**	Classical Mechanics	3	Fall 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
Subject	**No.**	**Title**	**Prerequisite/Co-requisite Change**	**Effective Term**
MATH	720	Algebra I	Prereq or Co-req: MATH 621. Desc: Graduate level survey of algebra: rings, modules, linear algebra and selected advanced topics.	Fall 2016
MATH	752	Complex Analysis	Prereq: MATH 650	Fall 2016
MATH	862	Integral Equations	Prereq: MATH 650	Fall 2016
MATH	864	Calculus of Variations	Prereq: MATH 650	Fall 2016
MATH	867	Topics in Applied Mathematics	Prereq: MATH 650 or MATH 680	Fall 2016
PHRM	452L	Pharmaceutical Care Laboratory II	Prereq: PHRM 351L	Summer 2016
PHRM	538	PTDI: Cardiovascular and Pulmonary Diseases	Prereq: PSCI 413 and PSCI 414	Summer 2016
PHRM	572	Pharmacy Law	Prereq: BS degree in Pharmaceutical Sciences	Summer 2016
PHRM	580	Pharmacotherapy Capstone	Prereq: a grade of C or higher in PHRM 536 and PHRM 537. Desc: Using clinical practice guidelines, current scientific literature, and pharmacotherapy concepts, students will evaluate integrated patient case scenarios.	Summer 2016
PHYS	355	Classical Mechanics	Prereq: PHYS 252 and MATH 265. Co-req: MATH 266. Desc: Basic concepts, single and coupled oscillators, variational calculus, Lagrangian and Hamiltonian dynamics, central force motion, accelerated coordinate systems.	Fall 2016

Policy Change Cover Sheet

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

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

SECTION: 183 Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping, Policy 232 is no longer so should not be referenced in this policy.
2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted Human Resources and Payroll. 12/04/2015
   - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu
   -]

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
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SECTION 183
NONRENEWAL AND DISMISSAL OF NONBANDED, NONACADEMIC STAFF

SOURCE: SBHE Policy Manual, Section 608.2

1. Employees excluded from the broadbanding system who are not members of the academic staff at an institution may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:

   a) At least three months, if written notice is given during the first year of service;
   b) At least six months, if written notice is given during the second year of service or thereafter.

2. Employees excluded from the broadbanding system who are not members of the academic staff at an institution may be dismissed for just cause or based upon financial exigency as determined by the Board, loss of appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses, in which cases the notice requirements of the preceding section shall not apply. If a dismissal other than for just cause is implemented pursuant to this subsection, no less than 90 days notice shall be given the employee.

3. Just cause means just cause for dismissal of staff employees as defined in the North Dakota University System Human Resource Policy Manual. (See NDSU 220.2) Notice of intent to dismiss for cause, stating the reasons for the proposed action, shall be given by a department head or other designated official unless the employee is a vice president or other officer who reports directly to the institution's chief executive, in which case notice shall be given by the chief executive. The notice shall be given at least five calendar days prior to the date of dismissal and the employee has the right, within that time, to respond in writing and request a pre-termination review. Following notice of intent to dismiss and, if requested by the employee, the pre-termination review, the department head or other designated individual, if the notice of intent to dismiss was not given by the chief executive, shall forward a recommendation to the institution's chief executive. The chief executive shall make a final decision and give written notice of that decision.

4. An employee who is dismissed for just cause pursuant to this policy may, within 20 days of dismissal, appeal the decision by filing a notice of appeal, accompanied by a specification of the reasons or grounds upon which the appeal is based, with the institution's chief executive. The chief executive shall appoint a hearing officer to conduct an evidentiary hearing and submit recommended findings, conclusions and a recommended order to the chief executive. The hearing officer shall conduct the hearing according to appeal procedures governing hearings conducted by a staff personnel board that are set forth in Section 27 of the North Dakota University System Human Resource Policy Manual *(Policy 231 of the NDSU Policy Manual).* The chief executive shall make a final decision and provide written notice of that decision to the hearing officer and the employee within 20 calendar days of receiving the hearing officer's recommendation.

5. Except for positions explicitly exempt as stated in this section 5 or 6, this policy applies to all employees excluded from the broadbanding system who are not members of the academic staff and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff. This policy applies to coaches unless the employing institution has adopted a different policy governing coaches and that policy is stated or

adopted by reference in a coach's employment contract, in which case the institution's policy applies. This policy does not apply to faculty; employees with academic appointments are governed by SBHE Policy Sections 605.1, 605.2, 605.3 and 605.4. Staff employees at the institutions are governed by the North Dakota University System Human Resource Policy Manual.

6. *Dismissal actions of* ***regular staff employees*** *are governed by the NDSU Policies 220 and~~,~~ 223~~, and 232~~.*

7. *Dismissal actions of* ***temporary staff employees*** *may occur at any time with or without cause (NDUS Human Resource Policy Manual, Section 2).*

8. *Dismissal or non-renewal actions for* ***faculty*** *are governed by NDSU Policy 350.1-350.4 and 352.*

9. This policy does not apply to the Chancellor and institution presidents. Subsections 1 and 2 do not apply to student residence hall assistants, work-study students and other students employed on a part-time basis for a limited term. The terms and conditions of employment for student residence hall assistants shall be stated in a written contract.

10. Notwithstanding section 1, employees excluded from the broadbanding system who are not members of the academic staff at an institution and whose first day of service preceded September 26, 2012, may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:

    a. At least three months, if written notice is given during the first year of service;
    b. At least six months, if written notice is given during the second year of service;
    c. At least twelve months, if written notice is given thereafter.

HISTORY:

New	June 1994
Amended	May 1996
Amended	February 1998
Amended	July 1999
Amended	December 1999
Amended	January 2000
Amended	January 3, 2013
Housekeeping	August 26, 2013
Amended	September 18, 2013

Policy Change Cover Sheet

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SECTION: 220 Staff Job Discipline/Dismissal

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☐X No
   - Describe change: Adding *Designee* to the policy to update the policy to match the current pre-action business practice. There are 3 HR positions that handle staff employee relations (Director and the 2 Associate Directors of HR). Our practice is if one position assists a supervisor or an employee; that position does not do the independent review of the pre-action.

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Office of Human Resources and Payroll, Colette Erickson, 12/01/2015
   - Email address of the person who should be contacted with revisions: Colette.Erickson@ndsu.edu
   -

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 220
STAFF JOB DISCIPLINE/DISMISSAL

SOURCE: NDUS Human Resources Policy Manual, Section 25

1. A regular staff employee may be dismissed from employment, suspended without pay, changed to a lower pay rate, *or changed to a position with a lower pay rate*, for just cause. Just cause includes conduct related to the employee's job duties, job performance, or working relationships which is detrimental to the discipline or efficiency of the institution in which the employee is or was engaged.

2. The employing department shall notify the employee and the Director of Human Resources/Payroll of the proposed action in writing. The written notice must include:

    a. A statement that the supervisor intends to dismiss, suspend, or lower the pay rate of the employee.
    b. A statement identifying any policies violated by the employee.
    c. A statement of the specific charges against the employee; citing the employee's behavior, dates and/or occurrences, witnesses, and other evidence against the employee.
    d. Notice that the employee may provide the supervisor with evidence, explanation, or other information in writing which contradicts the allegations and evidence.
    e. Notice of the employee's status until the final decision is made. (i.e. whether the employee to continue working or be placed on leave of absence with pay)

3. A regular staff employee who is being suspended without pay, changed to a lower pay rate for disciplinary reason or dismissed shall be entitled to a pre-action review. This review *will be conducted by the Director of Human Resources/Payroll* or designee and may be limited to the written record including the employee's written response to the allegations, or at the option of the Director of Human Resources/Payroll or designee may be conducted in person. The pre-action review shall be held no sooner than three working days from the time notice as provided to the employee.

    a. The review official shall consider all evidence and will make a determination whether there are reasonable grounds to believe the charges against the employee are true and support the proposed action.

    b. The employee and the department head will be notified, in writing, of the review official's determination. The department head will then give the employee a written notice of his/her final decision. A notice of dismissal, suspension without pay, or demotion must include a written detailed statement of the basis for the action and inform the employee of their right to appeal.

HISTORY:
New April 1992
Amended June 1997

Amended August 1999
Amended February 11, 2014

Policy Change Cover Sheet

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SECTION: 515 – Travel - Employees

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☒ Yes ☐ No
   - Describe change: Housekeeping: IRS mileage allowance rate changes effective January 1st 2016

2. This policy change was originated by (individual, office or committee/organization):
   - Accounting Office / Accounting / Ricki Martin 12/28/2015
   - Ricki.martin@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 515
TRAVEL - EMPLOYEES

SOURCE: NDSU President
North Dakota Century Code (NDCC)
North Dakota Office of Management and Budget Policy

1. GENERAL PROVISIONS

1.1 DEFINITION OF "TRAVEL" - *(NDSU Interpretation)*
For purposes of this policy, except for No. 2 below, the term "travel" means the absence from the city or community where a person normally works and/or maintains an office. For purposes of travel by staff members employed on the University campus their "community" shall include, Fargo, West Fargo, and Moorhead.

1.2 MEANS OF TRAVEL - *(NDSU Interpretation)*
Employees must choose the most prudent and economical means of travel, considering factors such as: travel expenses, time away from the office, and the needs of the University.

1.3 ACCOUNTING OFFICE RESPONSIBILITY - *(NDSU Interpretation)*
The NDSU Accounting Office is responsible for the initial development of NDSU's employee travel expense reimbursement policy, in addition to the final review and approval of individual employee travel expenses. Employees may be contacted by the Accounting Office for more documentation or a cost/benefit justification. The NDSU Accounting Office must apply the travel rules in this policy on a reasonable, fair and consistent basis.

1.4 TRAVEL VOUCHER REQUIREMENTS - (NDCC 54-06-09 (6))
Before an allowance for any such mileage or travel expenses may be made, the employee shall file with the employee's department an itemized statement showing the mileage traveled, the hour of departure and return, the days when and how traveled, the purpose thereof, and such other information and documentation as may be prescribed by rule of the employee's department, college, or division.

(NDCC 44-08-05.1)
Any employee who has the power to approve a voucher for a department shall determine, before approving such voucher, the following:

1.4.1 That the expenditure for travel or other expenditures were for lawful and official purposes.

1.4.2 If for travel expense, that the travel actually occurred and that the sums claimed for travel expenses are actually due the individual who is seeking reimbursement, allowance, or payment.

1.4.3 If the voucher is for expenditure other than travel expense, that the expenditure is lawful and that the voucher contains no false claims.

2. TRAVEL WITHIN THE CITY OF EMPLOYMENT
Employees may be reimbursed for expenses incurred within their "city or community" of employment for the following:

2.1 *(NDSU Interpretation)*
Parking fees for personal vehicles when conducting University functions or attending University meetings.

2.2 (OMB Policy 507)
Mileage at in-state rates for personal vehicles used to transport equipment or university guests for university functions.

2.2.1 (OMB Policy 507)
Mileage from a normal work station to a conference or meeting is reimbursable, if an employee actually reports to work prior to attendance at the meeting. However, mileage for travel from an employee's residence directly to the conference/meeting site is not reimbursable, since it is considered normal commuting travel.

2.3 *(NDSU Interpretation)*
Meals may be reimbursed as provided under NDSU Policy 170.

2.4 *(NDSU Interpretation)*
Transportation between the employee's residence and airport, which consists of taxi fare or mileage plus airport parking, whichever is less.

3. OUT-OF-STATE TRAVEL AUTHORIZATION - *(NDSU Interpretation)*
Employees must have each out-of-state trip pre-approved by their immediate supervisor. In addition, employees in a department, college, or division must have each out-of-state trip pre-approved by their Dean or Director. Deans and Directors who report directly to a Vice President or Provost must have their out-of-state trips pre-approved by their Vice President or Provost. Vice Presidents, Provost, and others reporting directly to the President, must have each out-of-state trip pre-approved by the President. Prior approval is to be obtained by using the Travel Authorization – Out-of-State form.

3.1 WORKERS COMPENSATION - *(NDSU Interpretation)*
In cases where employees are working out-of-state for 30 consecutive days, or for any international trip, the employee must notify the University Police and Safety Office to arrange proper Workers Compensation coverage.

3.2 FOREIGN TRAVEL AUTHORIZATION - *(NDSU Interpretation)*
Each trip to a foreign country must be approved by the appropriate Vice President or Provost or their designee.

4. PRIVATELY OWNED TRANSPORTATION - (NDCC 54-06-09)
An employee, when required to travel by motor vehicle or truck in the performance of official duty, should use a state-owned vehicle, whenever possible.

(OMB policy 511)
When an employee drives a state fleet vehicle, the State's liability coverage is primary should an accident occur. If an employee drives a personal vehicle on state business, the employee's personal insurance is primary. If an employee must drive a personal vehicle because no state fleet vehicles are available, then the State would have primary responsibility.

(NDCC 44-08-03)
Where more than one state employee travels in the same car while engaged upon official duty, whether belonging to different departments, subdivisions, boards, or commissions or not, no claim may be made for more than one mileage, such claim to be made by the owner or lessee of such car.

If an employee is allowed to use a personal vehicle, reimbursement will be made according to the rates below.

4.1 IN-STATE MILEAGE - (NDCC 54-06-09 (1a))
The sum of ~~56.0~~57.5 cents (for travel prior to 01/01/201~~5~~6) or ~~57.5~~54 cents (for travel on or after
01/01/201~~5~~6) per mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle.

4.2 (NDCC 54-06-09 (1a))
The sum of ~~86~~ 81 cents per mile when such travel is by private airplane.

4.3 OUT-OF-STATE MILEAGE - (NDCC 54-06-09 (3))
If only one person engages in travel exceeding any geographic point 300 miles beyond the borders of this state, reimbursement shall be limited to eighteen cents per mile for the out-of-state portion of the travel beyond the first 300 miles.

(NDSU Interpretation)
When interpreting the law indicated in 4.3 above, it may be helpful to visualize that the state's border has expanded in all directions by 300 miles. When only one person travels outside the state of North Dakota and uses their own vehicle, their miles traveled within the 300 mile expanded border, the employee may be reimbursed at the ~~56.0~~57.5 cents (for travel prior to 01/01/201~~5~~6) or ~~57.5~~54 cents (for travel on or after 01/01/201~~5~~6) per mile rate. This includes both the departure and return parts of the trip.

When two or more state employees travel in the same vehicle, the per mile allowance is ~~56.0~~57.5 cents (for travel prior to 01/01/201~~5~~6) or ~~57.5~~54 cents (for travel on or after 01/01/201~~5~~6). State employees accompanying the vehicle owner must be listed on the travel voucher.

4.4 (NDCC 54-06-09 (5))
State employees permanently located outside the state or on assignments outside the state for an indefinite period of time, exceeding thirty consecutive days, will be allowed and paid ~~56.0~~57.5 cents (for travel prior to 01/01/201~~5~~6) or ~~57.5~~54 cents (for travel on or after 01/01/201~~5~~6) per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle, the 300 mile restriction, in 4.3 above, does not apply.

(NDSU Interpretation)
Mileage allowances are assumed to be total operating costs for vehicles. No additional amounts will be reimbursed to employees for personal items such as: traffic or parking tickets, vehicle repairs, or any other normal automobile expenses.

5. COMMERCIAL AIRLINES - (OMB Policy 510)
For travel on official state business, airline tickets may be either purchased through a travel agency and billed to the department, or purchased by the employee and reimbursed. In either case, the original itinerary should be used to support the travel agency payment or employee reimbursement.

Reimbursement to an employee *or tickets directly billed to a department* will be allowed for the actual cost of tourist or coach fare, purchased at the lowest reasonable rate available, except when approved by the President, or President's designee, unless not permitted by federal rules or regulations. Approvals must be filed in the President's Office. First Class or Business Class tickets should normally be through a frequent flyer upgrade or the employee should use frequent flyer miles earned via state travel. Invoices from third parties (like travel agencies) must identify if travel is First Class or Business Class.

5.1 *(NDSU Interpretation)*
If the ticket is paid by the employee in a month prior to the travel dates, with appropriate department approval, the employee may be reimbursed immediately after the ticket is paid using an accounts payable voucher.

5.2 *(NDSU Interpretation)*
Meal and lodging expenses will be limited to the days needed to complete the business trip. Meal and lodging expenses for additional travel necessary to get a discounted or reduced airline rate are reimbursable, if a cost savings can be documented.

6. MEAL REIMBURSEMENTS - (NDCC 44-08-04)
Reimbursement is allowed only for overnight travel or other travel, away from the normal place of employment, for four hours or more. Verification of expenses by receipt is required only for lodging expenses.

6.1 DEFINITION - QUARTERS - (NDCC44-08-04 (2)) *(NDSU Interpretation italicized)*
For purposes of employee meal and lodging reimbursements, state law defines the four quarters of a day as follows:

First quarter shall be from six (6) a.m. to twelve (12) noon. No reimbursement may be made if travel begins after seven (7) a.m.

Second quarter shall be from twelve (12) noon to six (6) p.m. *(No reimbursement will be made for this quarter if travel begins after one (1) p.m. or ends prior to twelve (12) noon.)*

Third quarter shall be from six (6) p.m. to twelve (12) midnight. *(No reimbursement will be made for this quarter if travel begins after seven (7) p.m. or ends prior to six (6) p.m.)*

Fourth quarter shall be from twelve (12) midnight to six (6) a.m. *(This quarter pertains to claiming lodging expense.)*

6.2 CONFERENCE, SEMINAR, OR OTHER MEETING - (NDCC 44-08-04 (1))
Claims may also be made for meals that are included as part of a registration fee for a conference, seminar, or other meeting and for meals attended at the request of and on behalf of the University; however, if a meal is included in a registration fee, the applicable quarter's meal allowance cannot be claimed for that meal.

6.3 TAXABLE MEALS - *(NDSU Interpretation of IRS regulations)*
Meal reimbursements that do not involve "overnight lodging" are reported as taxable gross income on the employee's W-2 and are subject to withholding and employment taxes. A lodging receipt is considered adequate proof of overnight lodging. Also, a notation on the travel voucher that the employee stayed overnight with a friend or relative is sufficient.

6.4 PAYMENT FOR MEALS OF STAFF & GUESTS, WHILE IN TRAVEL STATUS - *(NDSU Interpretation)*

NDSU Policy 170 allows reimbursement to employees for meals of staff and guests, even though the employee is not in travel status. Employees while in travel status may also occasionally encounter meal expenses when they are required to be at a meeting and there is a need to pay for meals of guests, such as when interviewing candidates, recruiting, or fund raising.

If an employee is at a required meeting and pays for meals of guests (while in travel status), the employee may be reimbursed for the actual receipt amount. If the employee meal is reimbursed at actual receipt amount on the travel voucher, he/she must not claim the applicable quarter's meal allowance.

When employees are reimbursed for the actual receipt amount for meals under this section, the expenses should be reflected under the "miscellaneous expense" column on the travel voucher. The purpose of the meeting and names of guests must be documented on either the travel voucher or an attached banquet and meeting documentation form.

6.5 TEAM TRAVEL - (Excerpt from NDCC 44-08-04, Subsection 1)

If a higher education athletic team or other organized institution organization group meal is attended at the request of and on behalf of the institution, actual expenses for the entire group, including coaches, trainers, and other employees, may be paid or submitted for payment of a team or group travel expense report: subsection 2 does no apply; and officers and employees are not required to document individual expenses or submit individual travel reimbursement vouchers.

(NDSU Interpretation)

Meal expenses of athletic department employees, when traveling with student athletes to games, are covered by travel advances issued from the Accounting Office. These meals are attended at the request of and on behalf of the University and, therefore, the meals are paid from the travel advance at the actual cost of the meals, in accordance with the Athletic department meal reimbursement guidelines for student athletes. Since the meals are paid out of the travel advance, it is not necessary for the employees involved in the team travel to complete a travel voucher to claim reimbursement for the meals.

As an alternative to actual meal costs, some head coaches may prefer to distribute a cash per diem to the employees and student athletes. The cash per diem is distributed from the travel advance for the individual to use for meals. The cash per diem for employees must not exceed the meal allowance allowed policy and must not exceed the Athletic department meal reimbursement guidelines for student athletes. Since the employee cash per diem is paid from a travel advance, it is not necessary for the employee to complete a travel voucher to claim reimbursement for the meals.

6.6 MEAL ALLOWANCE RATES - (NDCC 44-08-04 (2))

Meal reimbursement rates depend upon the time of day the employee is in travel status and whether the travel is in-state or out-of-state. Verification of receipts shall not be required for the first three quarters listed above in Section 6.1.

6.6.1 IN-STATE - (NDCC 44-08-04 (2))

For travel prior to August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	$ 30.00	$ 6.00	$ 9.00	$ 15.00

For travel on or after August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	$ 35.00	$ 7.00	$ 10.50	$ 17.50

6.6.2 OUT-OF-STATE, WITHIN CONTINENTAL U.S. - (NDCC 44-08-04 (3))

The allowance for out-of-state meals, within the continental United States, is equal to per diem meals rate in the city for which a claim is made on that day as established by the United States general services administration and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)
The standard meal allowance rate (per diem) for cities in the continental United States is currently $51.00 per day effective 10/01/2015. The North Dakota Office of Management and Budget (NDOMB) web site shows the official current out-of-state meal allowance rates that NDSU will follow. The NDOMB web site includes a listing of cities whose meal allowance rates are higher than the standard rate.

The table below (effective 10/01/2015) shows examples of how the meal allowance per diem is split between the first quarter or breakfast (20%), second quarter or lunch (30%), and third quarter (50%).

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
Out-of-State, within continental U.S. (depending on city) Standard Rate	$ 51.00	$ 10.20	$ 15.30	$ 25.50
(depending on city)	$ 54.00	$10.80	$ 16.20	$ 27.00
(depending on city)	$ 59.00	$11.80	$ 17.70	$ 29.50
(depending on city)	$ 64.00	$12.80	$ 19.20	$ 32.00
(depending on city)	$ 69.00	$ 13.80	$ 20.70	$ 34.50
(depending on city)	$ 74.00	$ 14.80	$ 22.20	$ 37.00

6.6.3 NON-CONTINENTAL UNITED STATES AND OVERSEAS NONFOREIGN AREAS - (NDCC 44-08-04 (4))

The allowance for meals in noncontinental United States and overseas nonforeign areas, including Alaska, Hawaii, and Guam, is equal to the per diem meals rate in the city for which a claim is made on that day as established by the rule for federal employees established by the United States per diem committee and must be

allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU interpretation)
The Accounting Office web site will have a link to the appropriate meal allowance for foreign travel.

6.6.4 FOREIGN TRAVEL - NDCC 44-08-04(5))
The allowance for meals outside the United States is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees established by the United States department of state and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)
The Accounting Office web site will have a link to the appropriate meal allowance for foreign travel.

7. LODGING REIMBURSEMENTS - (NDCC 44-08-04 (1)(2d)(6)) *(NDSU Interpretation italicized)*
Reimbursement for in-state lodging expenses incurred while in travel status during the fourth quarter shall not exceed 90% of the rate established by the United States General Services Administration (GSA) for North Dakota, plus applicable state or local taxes on lodging. As of October 1, 2013, the GSA rate for lodging in North Dakota was $83; therefore, the maximum amount that can be claimed is $74.70, plus applicable taxes. For travel on or after October 1, 2015, the GSA rate for lodging in North Dakota was $89; therefore, the maximum amount that can be claimed is $80.10, plus applicable taxes.

The GSA will update their rates periodically during the biennium and the allowable lodging reimbursement will also change at that time. See the city/county rate exceptions, found on the Accounting website. The amounts shown are 90% of the GSA rates and are the maximum state reimbursable rates that can be claimed, plus applicable state and local taxes. These rates are effective October 1, 2012.

Out-of-state lodging expenses shall be reimbursed at actual expense.

An original lodging receipt is required for reimbursement to the employee. *(When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost.)*

7.1 IN-STATE LODGING RATES OVER MAXIMUM - (SBHE 806.1.10)
In the unlikely situation an employee cannot find lodging at 90% of the GSA rate, the following process needs to be followed:

7.1.1 Prior-approval by campus designated approver must be obtained.

7.1.2 The request must document the name of the employee, name of city traveling to, dates of lodging, name and local phone number of the lodging facility, the rates quoted for the dates of travel or if there were no available rooms. A minimum of 3 facilities should be contacted. If traveling to a North Dakota community that does not have 3 lodging facilities, indicate on documentation.

7.1.3 This documentation must be attached to the travel reimbursement form.

7.1.4 Occasionally, additional documentation will be requested to ensure the most cost-effective rates possible were obtained.

7.1.5 *If a room is more than the 90% maximum GSA rate for North Dakota, allowed in section 7, above, the additional taxes eligible for reimbursement must be pro-rated. For example (using the $80.10 maximum rate): if the room is $90.00 and taxes are $13.50, the individual will be reimbursed $80.10 plus $12.02 pro-rated taxes ($80.10/90.00 x $13.50 = $12.02).*

7.2 DIRECT BILLING OF LODGING TO DEPARTMENT - *(NDSU Interpretation)*
Employee lodging must be first paid by the employee and then reimbursed using the travel voucher. An employee's lodging expense should not be paid directly by the department to the lodging facility.

EXCEPTIONS - (NDSU Interpretation)

7.2.1 State law (NDCC 44-08-04.5) allows a state agency or institution to pay an out-of-state lodging provider directly when the North Dakota Office of Management and Budget has obtained a sales tax exemption from the destination state.

(NDSU Interpretation)
(At this time, OMB does not have an agreement with any other state. State agencies will be notified when such agreements have been obtained.) The state law exception does not apply to in-state lodging.

7.2.2 *(NDSU Interpretation)*
A lodging facility may be paid directly by the department if the travel involves a student field trip or athletic team travel.

7.3 REQUIRED DEPOSITS - *(NDSU Interpretation of OMB Policy 513)*
If a lodging facility requires a paid deposit to hold a room in advance, it should be paid by the employee. If the deposit is paid by the employee in a month prior to the travel dates, the employee may be reimbursed immediately after the deposit is paid using a Request for Payment form. The employee will need to verify that the deposit was properly credited to the lodging bill when the travel takes place.

7.4 ROOM SHARING - *(NDSU Interpretation)*
When two or more state employees share lodging accommodations, each employee should normally claim his/her own reimbursement. In instances where one employee pays the total lodging costs, he/she may claim reimbursement for the same by listing the other employee(s) sharing the lodging accommodation.

(OMB Policy 513)
When a state employee is accompanied by an individual not eligible for reimbursement (a spouse or traveling companion), the state employee must have the lodging establishment clearly certify the room rate for a single person and only that amount may be claimed.

8. MISCELLANEOUS TRAVEL EXPENSES - *(NDSU Interpretation)*
Reimbursement may also be requested for such necessary miscellaneous travel expenses as registration fees, car rental, taxi fares, toll fees, business telephone calls, parking fees and up to $5.00 per day for personal telephone calls while in travel status. All miscellaneous travel expenses claimed on the travel voucher must be individually identified and explained. Receipts are required for all individual miscellaneous travel expenses exceeding $10.00.

8.1 ENTERTAINMENT & PERSONAL EXPENSES - *(NDSU Interpretation)*
Employee entertainment or other personal expenses are not reimbursable. Expenses claimed by an employee that appear to fall in this category, will need additional justification to support claiming them as necessary business expenses.

8.2 CAR RENTAL - (OMB Policy 518)

8.2.1 The university will reimburse an employee for car rental if the employee used an aircraft to get to their destination, and if the use of the vehicle is sufficient to justify that mode of travel instead of a taxi. It is generally the policy to discourage car rentals unless their cost effectiveness is self-evident.

8.2.2 When renting a car for university business, purchase of additional insurance is not necessary because it is covered by the State's Risk Management Fund. However, the North Dakota Risk Management Division does recommend purchasing the liability insurance if renting outside the United States. Also, when out of the country, it is advisable to purchase the loss damage waiver as well. Employees should consider what coverages the employee's personal auto insurance provides.

8.3 TIPS AND OTHER CHARGES - *(NDSU Interpretation)*
Reasonable tips, not to exceed $5.00 per tip, and service charges that are a necessary part of the business trip are reimbursable. Examples include: tips to bellhops and taxicab drivers. No reimbursement is allowed for tips on meals that are covered by the meal allowance.

8.4 LOST RECEIPTS - *(NDSU Interpretation)*
When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost. Credit card receipts are not sufficient.

9. TRAVEL ADVANCES - (NDCC 44-08-04.2)
The Accounting office may approve a travel advance to employees for payment of meal and lodging expenses incurred while the employee is traveling on official business of this state, provided that such travel is planned to be in excess of five days per month, and provided that the funds advanced do not exceed eighty percent of the estimated expenses for the period.

NDSU LIMITATIONS - (NDSU interpretation)
Funds advanced for meals and lodging must be accounted for as required by this Policy. Travel advances may not be made from state appropriated funds. A travel advance form is available to request an advance. The Accounting Office will generally limit travel advances to the following two situations:

9.1 When an employee is chaperoning a group of students or other guests and is expected to pay some of the student's or guest's expenses.

9.2 When an employee is going on a trip for an extended period of time, such as more than one month. Usually these are international trips funded by a special grant.

HISTORY:

New	July 20, 2000
Amended	July 2001
Amended	June 2003
Amended	October 2003
Amended	August 2005
Amended	February 2006
Amended	October 2007
Amended	January 2008
Amended	July 17, 2009
Housekeeping	October 6, 2009
Housekeeping	February 2010
Amended	July 2010
Housekeeping	September 2010
Housekeeping	January 5, 2011
Housekeeping	June 15, 2011
Housekeeping	August 18, 2011
Housekeeping	January 27, 2012
Housekeeping	April 23, 2012
Housekeeping	October 10, 2012
Housekeeping	January 10, 2013
Housekeeping	July 30, 2013
Housekeeping	September 18, 2013
Housekeeping	December 31, 2013
Housekeeping	March 3, 2014
Housekeeping	December 31, 2014
Housekeeping	April 29, 2015
Amended	June 22, 2015
Housekeeping	September 30, 2015

1. At one time university money could pay for faculty membership in our professional organizations. Now we are prevented from doing so. Why the change, especially since these memberships are vital to our research abilities and networking, and some dues are very high?

The policy governing memberships is 152.2, which was created in December 1993. This policy hasn't changed, and states:

Normally, dues and membership fees are the employee's own personal responsibility. The University may pay organization or institutional fees in professional and service organizations when the membership is regarded, either by the organization or the University, as an institutional membership or is otherwise considered directly beneficial to the University. In such cases, all benefits of membership, such as resource materials, belong to the University. All such funded memberships must be approved by the employee's supervisor who has budgetary responsibility for the unit or division. For the colleges of the University, this shall mean the Dean.

The colleges were interpreting this policy differently; the change is that we now have a consistent interpretation of what it means for a membership to be an institutional membership. Note that if the University does pay for a membership, all of the benefits belong to the University, not to an individual faculty member.

2. For some time, there were travel grants/funding from the Provost's office, but this year that has been eliminated. Given the need to travel for our research and other work, and the paucity of other funding sources on campus, why the elimination? I believe that it was also went mostly to newer faculty who could use the hand up with their research careers.

In the past, the Office of the Provost had allocated $40,000 to a travel grant program, using summer funds that were retained by the Office of the Provost. Given the changes in summer school, the retained funds from summer of 2015 are being set aside to help fund courses in summer of 2016. I made the decision to allocate the summer funds to support summer school.

3. A new faculty development award was approved, without changing policy 132. Although awards benefitting faculty are a great idea, in practice this one would put considerable financial strain on departments that try to implement it. How is the award supposed to work? How should departments deal with its funding? Why weren't faculty and chairs/heads consulted to see if the award was a priority for them? It would be a good idea for some sort of training or information for Chairs/Heads to know how and when to implement it?

Information about the award is available on the Provost's website under awards. The award was developed by the members of the Research Council – who are faculty – as suggested by the Strategic Plan. This award is similar to the leave programs available at most major research universities. The proposal was discussed and approved by the Deans' Council. The Deans were invited to share the proposal with their chairs and heads. Since this is an award, and not a policy, it was treated like a competitive award program.

Bylaws

Article I: Faculty Senate Membership

Section 1.
Each representation unit shall have one elected senator for every fifteen eligible faculty (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the Fargo Campus as of October 1 of each year. Faculty members in the 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, professors of practice, research faculty, assistant, associate, and 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 Faculty Senate seats:

a. College of Agriculture, Food Systems, and Natural Resources
b. College of Arts, Humanities, and Social Sciences
c. College of Business
d. College of Engineering
e. College of Human Development and Education
f. College of ~~Pharmacy, Nursing, and Allied~~ Health ~~Sciences~~Professions
g. College of Science and Mathematics

Section 4.
The Faculty Senate President with the assistance of the Secretary of the Senate will stagger Senate terms so that approximately 1/3 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.

Section 5.
Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected senator shall be three years. Senators cannot be reelected for consecutive terms.

Section 6.
If a senator must vacate her or his seat, the vacancy shall be filled by a special election within the unit from which she or he was elected. The term of a member under these circumstances shall

commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

Section 7.
A senator may be removed from office by way of a two-thirds majority vote at a regular Faculty Senate meeting, followed by a 2/3 majority vote at the next meeting. ~~.~~This action may never be part of a consent agenda. In the event a senator is removed, the Faculty Senate 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 Faculty Senate meetings. If unable to attend the meeting the senator must find a competent substitute (who is not already a senator) to act as her or his proxy at the meeting. Said proxy will have all rights and privileges accorded a regular senator. The senator must provide signed notification of the substitution to the Secretary of the Faculty Senate prior to start of the meeting.
2. Prepare for Faculty 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 Faculty Senate.
4. Disseminate Faculty Senate information to their individual representation units.
5. Gather opinions and other information from their representation units concerning Faculty Senate activity.
6. Show proper decorum during meetings.

Article II: Organization and Faculty Senate Operation

Section 1.
Administrative officers of the Faculty Senate consist of the President and the President-Elect. The Immediate Past President provides advice to the President and President-Elect regarding past practices and other matters for the maintenance of continuity from one administration to the next.

Section 2.
The President-Elect shall be elected for a one-year term by the Faculty Senate at the last~~April or May~~ meeting of the Faculty Senate in the academic year. The President-Elect will be elected from the roster of current or former 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 President as a replacement for the position of Immediate Past President.

Section 4.

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

Section 5.

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

1. Voluntary resignations shall be tendered before the Senate at its regular meetings.
2. Removal of the President ~~or~~, President-Elect or Immediate Past President by the Senate requires a 2/3 vote at a regular Senate meeting, followed by a 2/3 vote at a special meeting of the Senate convened in not more than 2 weeks after the first meeting. The second meeting will be convened and presided by a Special Returning Officer who will be appointed by the Senate immediately after the first vote. The removed officer shall not complete his/her term as a Senator.
3. In the event that the authority of the President is terminated ~~President is removed or unable to complete their term out of their own decision~~ but the President-Elect is still in good standing, the~~, the~~ President-Elect will assume the role of President ~~and will continue as President~~ to finish the term left by the removed President and then he/she will start his/her originally elected term.
    a. The removed president will not serve as Immediate Past President. ~~until the~~
    b. ~~President-Elect's original term is concluded.~~ The assumed President may wish to appoint one of the senators to assist in the duties of the President-Elect. This appointment does not necessarily imply automatic elevation to the full position of President-Elect at the end of the term.
4. In the event that the authority of the President-Elect is terminated~~removed of unable to complete their term out of their own decision~~, 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 he/she will convene and preside the Senate meeting to elect a new President and the President-Elect in not more than two weeks.
    ~~a.~~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 of the election of the President and the President-Elect in not more than two weeks. Section 5.5 above will then be used to fill the position of the Immediate Past President.

~~The removed officer shall not complete her or his term as a Senator~~.

Section 6.
Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Faculty 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 Faculty Senate on administrative councils.
9. Provide the Secretary of the Senate and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Submit policies or actions approved by the Faculty Senate to the University President for consideration.
11. Moderate the official faculty listserv.

Section 7.
Duties of the President-Elect shall include the following:

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

Section 8
Duties of the Immediate Past President shall include the following:

1. Advisee 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 the senate regular meetings in the absence of both the President and the President-Elect.
3. Serve on the Senate Executive Committee.

Section ~~8~~9.
The University Registrar shall be the Secretary of the Senate; the Secretary of the Senate 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 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, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.
8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.
10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.

Section ~~9~~10.
Regular meetings of the Senate shall be held at 3:30 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or state holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 1~~0~~0.
Special meetings may be called by the President or on petition of one-third of the membership of the Senate.

Section 1~~1~~2.
Meetings of the Faculty Senate shall be open to the public. At each Senate meeting the President of the University, the Provost, the Student Body President, and the Staff Senate President will be invited to make announcements. The Faculty Senate 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 ~~12~~13.
Faculty Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Faculty Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

Section 1~~3~~4.
The primary business of the Faculty Senate is to review, propose, and approve of policy with respect to the following matters:

a. Academic freedom, including rights and responsibilities.
b. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
c. Research and scholarship.
d. Admissions standards and prerequisites.

e. Requirements for regular certificates and degrees.

f. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.

g. Teaching quality.

h. Professional standards and criteria for positions accorded academic rank.

i. Policies and procedures for promotion, tenure, and evaluation.

j. And other academic matters.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Committee and other reports.

~~5.~~6. Unfinished business.

~~6.~~7. New business.

~~7.~~8. Adjournment.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Planning and prioritizing Faculty Senate action for the year.

~~5.~~6. Adjournment.

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

Section ~~14~~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 ~~15~~16.
The minutes of the meeting shall be posted to the Senate website by the Secretary within one week after the meeting.

Article III: Senate Committees

Section 1.
Duties of standing committees include:

1. Selecting a chair who will serve as a liaison to the Faculty Senate.
2. Initiating and reviewing policy and policy changes in their areas of responsibility.
3. Providing their recommendations to the Faculty 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 Faculty 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 Faculty Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress (5 minutes) at the May meeting of the Faculty Senate or, at the President of the Faculty Senate's request, 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. Such membership shall be presented to the Faculty Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last senate meeting of spring semester, unless otherwise specified.

Section 5.
After the Faculty 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.

Section 6.
All Faculty Senate committee action is subject to review and approval by the Senate.

Section 7.
The Faculty Senate may create special committees as it deems necessary. Such committees shall be discharged upon the completion of their assigned duties. The duties of a special committee should not duplicate work being done by or usurp the responsibility of a standing committee without approval by said standing committee. Special committees shall be commissioned by a majority vote of the full Senate.

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the~~Graduate School designated by the~~ Dean~~ of Graduate and Interdisciplinary Studies~~, and two students.
2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.
3. Committee responsibilities include:
    a. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
    b. Recommending policies for the evaluation of transfer credit
    c. Recommending policies for graduation
    d. Recommending candidates for graduation
    e. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 2. Academic Integrity

1. Membership shall consist of one tenured faculty member with the rank of professor from each representation unit. If a full professor is not available, an associate professor may be appointed.
2. Committee responsibilities include:
    a. Providing investigative assistance on cases involving academic misconduct as described in Policy 326.
    b. Selecting panels of three persons competent to investigate allegations; such panels may include members from outside the University.
    c. Reviewing and recommending policies on academic integrity.

Section 3. Budget

1. Voting members shall consist of one faculty from each representation unit, and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance (or designee).
3. Committee responsibilities include:
    a. Becoming familiar with the university budget process.
    b. Developing a set of guiding principles which align with strategic priorities, with the intent of informing university budget decisions from a faculty perspective.

c. Soliciting 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. Acting as a conduit of information between faculty and administration for budget discussions and decisions.

Section 4. Conflict of Interest Advisory

1. Committee membership shall consist of five tenured faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President.
2. No two committee members may have primary appointments in the same representation unit.
3. Committee responsibilities include:
    a. Serving as an advisory body to the administration on the issue of Conflict of Interest.
    b. Initiating and reviewing policies concerning Conflict of Interest and making recommendations regarding such policy at the Faculty Senate.
    c. Hearing and ruling on appeals of decisions in conflict of interest cases.
    d. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 151.1.
4. In the event that a member of the committee recuses himself/herself 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.

Section 5. Council of College Faculties

1. Membership shall consist of three faculty members elected to staggered three-year terms.
2. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Council of College Faculties.
3. Responsibilities and procedures of the Council of College Faculties are determined by the Constitution and Bylaws of the Council.

Section 6. Equity and Diversity

1. Voting membership shall consist of five faculty members and a faculty representative from the Commission on the Status of Women Faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President. The Executive Committee shall strive for representation from diverse groups.
2. Non-voting membership shall consist of ~~a representative from~~ the Title IX Co-ordinator (or designee) ~~office of the Vice President for Equity, Diversity, and Global Outreach~~.
3. Committee responsibilities include:
    a. Reviewing, revising and proposing 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, and sexual minorities (e.g., lesbian, gay, bisexual, or transgendered).

Section 7. Executive Committee of the Faculty Senate

1. Voting membership shall consist of one senator from each representation unit, the President, the immediate Past President, and the President-Elect. ~~In the event the immediate Past President is unable or unwilling to serve, the President will appoint another past President as a replacement for the immediate Past President on the committee~~. The term of office shall be for one year following the regular May meeting.
2. Non-voting membership shall consist of a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, a faculty representative from the Commission on the Status of Women Faculty, the Faculty Senate Secretary, and the parliamentarian. The term of office of all members of Executive Committee shall be for one year following the regular May meeting.
3. During the first week of the fall semester, the Executive Committee shall meet and organize for the academic year.
4. Committee responsibilities are the following:
    a. Delegating tasks to Faculty Senate committees.
    b. Reviewing the progress of Faculty Senate committees.
    c. Setting the agenda for upcoming Faculty Senate meetings.
    d. Interpreting, when necessary, provisions of the Faculty Senate Constitution and Bylaws.

Section 8. Faculty Affairs

1. Membership shall consist of one faculty member from each representation unit, a non-voting faculty representative from the Commission on the Status of Women Faculty, and a nonvoting faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of from the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Committee responsibilities include:
    a. Reviewing policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching and service.
    b. Reviewing and recommending revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.

Section 9. Faculty Pool for Administrative Search Committees

1. Membership shall consist of two tenured faculty members (at associate or full professor level) from each representation unit and two tenured faculty members appointed by the Faculty Senate President. Areas of expertise, and a two page CV need to be shared with the Faculty Senate President.
2. Members shall serve for a two year term.

3. For each administrative search out of the Provost office, the Provost shall send a request to the Faculty Senate President listing the qualifications required to serve on the committee and the number of faculty members from the faculty pool the Provost will seat on the search committee.
4. The Faculty Senate President (or designee) shall search the pool for qualified candidates, create a list of qualified candidates, and then contact those on the list to see if they are willing to serve. Conflicts of interest need to be revealed at this time. The list shall contain at least the number who will serve on the committee plus one.
5. Once an adequate list of qualified candidates is created, that list shall be sent by the Faculty Senate President (or designee) to the Provost.
6. The Provost shall select from that list the number of faculty members she/he indicated are needed for that search committee.

Section ~~9~~10~~.~~ Faculty Rights

1. Membership, responsibilities, and procedures are determined by directives of the North Dakota State Board of Higher Education.
2. Membership consists of five members, from different representation units, elected for five-year terms by the faculty. Membership is restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
3. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Standing Committee on Faculty Rights. Committee members' terms will begin and end on August 15.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case, preferably a faculty member who has previously served on the committee. Broad representation, while a worthwhile goal, is not always achievable. However, the replacement member should be from a different representation unit than the other four members if reasonably possible.
5. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.

Section 11~~0~~. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.
2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, and the Provost (or designee).
3. Committee responsibilities include:
    a. Ensuring that existing courses and experiences meet general education requirements.
    b. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.

c. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.

d. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.

e. Providing periodic assessment of students' attainment of intended student outcomes in general education.

f. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.

g. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 12~~1~~. Grade Appeals Board

The purpose of this Board is to provide an avenue for students to challenge any grade they believe to have been unfairly assigned. Membership shall consist of one faculty member and one alternate from each representation unit, the Associate Vice-President of Academic Affairs, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by of the Dean of Graduate and Interdisciplinary Studies~~, three students and three student alternates selected by the Student Government. The Associate Vice-President of Academic Affairs will serve as Board Chair, and Policy 337 governs process.

1. Faculty shall be elected for three-year terms by their representation unit.

Students should be full-time students with a minimum 2.00 cumulative grade point average and junior standing.

3. Committee responsibilities include:
    a. Hearing charges of inequitable or prejudiced academic evaluations and to provide redress for improper evaluation.
    b. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 337.

Section 13~~2~~. Program Review

1. Membership shall consist of one tenured faculty member from each representation unit, ~~the immediate past president of the Faculty Senate~~, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of the College of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, and two students selected by the Student Government. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
2. Committee responsibilities include:
    a. Developing criteria and procedures for review of academic programs.
    b. Performing 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. Addressing concerns and making recommendation to the Faculty Senate regarding duplication of programs and courses.
    d. Recommending policies for University support to individual programs.
    e. Coordinating 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 14~~3~~. Research & Consulting

1. Voting membership shall consist of one faculty member from each representation unit and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Non-voting membership consists of a representative of the Vice President for Research, Creative Activities, and Technology Transfer.
3. Committee responsibilities include:
    a. Initiating and reviewing policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.

Reviewing research development programs and providing technical and funding reviews for faculty proposals submitted to the development programs.

Section 154. Technology and Instructional Services Committee

1. Voting membership shall include one faculty member from each of the representation units and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.

   Non-voting membership shall include one representative from Information Technology Division~~Services~~ (ITS).

3. Committee responsibilities shall include:

   a. an annual review of IT~~S~~ support services to the NDSU teaching and research communities.

   b. making recommendations for Faculty Senate approval of any changes proposed by the IT~~S~~ Division regarding policy, implementation procedures, or classroom and instructional technologies.

   c. formulating recommendations regarding needs of the faculty that are unmet by the IT~~S~~ Division.

   d. serving as the liaison between the Faculty Senate and the IT~~S~~ Division's administration.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership shall consist of two representatives each from the Faculty, Student, and Staff Senates, the Faculty Senate President, the Staff Senate President, and the Student Body President.
2. Non-voting membership shall consist of the Provost (or designee), the Vice President for Student Affairs (or designee), the Vice President for Finance and Administration (or designee), and representatives of one of these Vice President's offices, one of whom will facilitate meetings and one of whom will maintain records. The Vice President's offices will rotate responsibility for calling meetings and maintaining records every three to five years. The coordinating council may decide to invite policy initiators to the meetings as nonvoting members to explain policy changes.
3. Committee responsibilities include:

   a. Reviewing 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. Coordinating the distribution of policies to the appropriate senate body consistent with the Faculty Senate, Staff Senate, and Student Government Constitutions.

c. Sending policies that have been voted on to appropriate channels at NDSU for final approval.

d. Serving in a liaison capacity regarding the Faculty Senate, administration, Staff Senate, and Student Government.

Section 2. Campus Space & Facilities

1. Voting members shall consist of one faculty member from each representation unit, three staff members appointed by the Staff Senate, three student members (graduate, undergraduate, and on-campus) appointed by the Student Government, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of College of Graduate and Interdisciplinary Studies~~, the Provost (or designee), the Registrar, and the Vice President for Finance and Administration (or designee).

   Non-voting members shall consist of the Director of Facilities Management, the Chair of the Department of Architecture and Landscape Architecture, the Assistant to the Director of the North Dakota Agricultural Experiment Station, and a representative of the Dean of Libraries.

3. Committee responsibilities include:

   a. Provide for the systematic development and review of the "Campus Master Plan" and Guidelines for Campus Development.

   b. Recommending policies and procedures to meet the current and future needs for all physical facilities and reviewing changes in University space allocation including classrooms and laboratories.

   c. Reviewing proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.

   d. Recommending policies for site location for new buildings and for overall landscaping.

   e. Recommending traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.

   f. Recommending plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Membership shall consist of one faculty member from each representation unit, one undergraduate and one graduate student appointed by the Student Government, a staff member appointed by the Staff Senate, a representative from Information Technology Services, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, and the Dean of Libraries.

2. Committee responsibilities include:

    a. Formulating policy recommendations for the NDSU Libraries.

Section 4. University Athletics

1. Membership consists of one faculty member from each representation unit, two students, the Student Body Vice-President, the President of the Student-Athletes Advisory Council, two representatives of the Staff Senate, the Director of Intercollegiate Athletics~~, the Director of Intercollegiate Women's Athletics, the Title IX Co-ordinator (or designee) the Vice President for Equity, Diversity, and Global Outreach (or designee)~~Senior Women's Administrator, and the Faculty Athletic Representative.
2. The University Athletics Committee serves as the NDSU Athletics Advisory Board as described in the constitution of the National Collegiate Athletics Association (NCAA).
3. Committee responsibilities include:
    a. Promoting compliance with principles of conduct as defined by the NCAA.
    b. Acting as the Board of Appeals for athletic grievances.
    c. Initiating and reviewing policies concerning University Athletics and making recommendations for consideration of said policy to the Faculty Senate. Such areas of

concern include Guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, eligibility of athletes.

d. Reviewing upcoming issues at intercollegiate conference meetings and recommending institutional positions.

e. Reviewing the budget of the athletic programs prior to its approval by the University President.

f. Stimulating interest in athletic events throughout the University community.

Section 5. Equal Opportunity Hearing Panel

1. Membership shall consist of six faculty members appointed by the Faculty Senate President in consultation with the Senate Executive Committee, six students appointed by the Student Government President, and six Staff members appointed by the Staff Senate President.
2. Each President shall strive for diverse representation (gender, ethnicity, etc) in her/his group of appointees.
3. Committee responsibilities include:

   a. Acting in accordance with procedures and policy approved by the Senate, specifically Policy 156.

Section 6. University Assessment

1. Membership shall consist of one faculty member from each representation unit, a representative from the General Education Committee, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, the Provost (or designee), one undergraduate student, and one graduate student appointed by the Student Government, a representative from the Division of Student Affairs, a representative from the NDSU Extension Service, a representative from the Office of Institutional, Research and Analysis, a representative from Distance and Continuing Education, and the Director of the Office of Accreditation and Assessment.
2. Committee responsibilities include:

   a. Periodically reviewing the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and in the NDSU Extension Service.

   b. Developing procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs, and the NDSU Extension Service on their assessment activities.

   c. Providing feedback and assistance to departments and other academic units on their assessment activities.

d. Providing a yearly summary of assessment activities to the Faculty Senate, The Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

Article VI: Amending the Bylaws

Section 1.
Amendments to the bylaws may be proposed by the Faculty Senate or by a petition signed by twenty-five percent of the Faculty. At a meeting of the Faculty Senate where the amendment is proposed, a vote will be cast to determine whether to consider the amendment at the next regular Faculty Senate meeting. If two-thirds of the votes cast are in favor of the bylaws change will be added to the agenda for the next regular meeting of the Faculty Senate.

Section 2.
The Secretary of the Faculty Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Faculty Senate votes to consider the amendment at their next regular meeting.

Section 3.
At the next regular meeting of the Faculty Senate, if approved by two-thirds of the ballots cast, the change will be submitted to the University President.

Section 4.
When approved by the University President the changes shall become effective immediately.

General Education New Course Application Guidelines

Any department or college may propose courses to the General Education Committee for consideration as meeting NDSU's General Education requirements. The GE committee will evaluate courses in terms of their meeting the Undergraduate Learning Outcomes approved by the Faculty Senate on April 10, 2015. Proposals will continue to identify the appropriate category within the current general education model, as stipulated by NDUS policy 403.7.

Submission Format
Interested departments must submit the required materials electronically as attachments, preferably as a single PDF file to ndsu.gen.ed@ndsu.edu or as an attachment in Courseleaf CIM, if they are proposing a new course through Academic Affairs.

What to Submit
I. Syllabus or Syllabi
The syllabus serves as the primary source of evidence about the course. This syllabus should be substantially the same as that received by the students enrolled in the course. The syllabus must

- clearly identify which one to two of the seven NDSU Undergraduate Learning Outcome(s) students will meet in the course (the first outcome chosen should correlate with the chosen category)
- describe the learning activities and assignments students will complete in order to demonstrate they have met the identified NDSU Undergraduate Learning Outcome(s), appropriate to the planned course delivery model (see DCE resources for guidance: http://www.ndsu.edu/dce/faculty_resources/getting_started/teaching_online).
- detail how student attainment of the Undergraduate Learning Outcome will be measured
- include the minimum information required by the NDSU Policy 331.1 and the Academic Affairs Committee of the Faculty Senate https://www.ndsu.edu/fileadmin/policy/331_1.pdf).
- If the proposed course is also offered online or in a hybrid format, please submit all versions of the syllabus and appropriate documentation.

After approval, all General Education Course Syllabi and course web sites must identify the course as meeting General Education requirements and include the undergraduate learning outcomes for which each course is approved.

II. Submit a completed version of the General Education Course Template (see below, p. 3), unless the syllabus includes all of the Template sections in template order.

III. Outcomes Rubrics
To ensure that the course has been designed to achieve the Senate-approved Undergraduate Learning Outcomes for general education, please complete the outcomes rubric corresponding with each selected Undergraduate Learning Outcome. Substantial evidence for at least 60% of the outcome's defining bullets will be needed for approval.

IV. Explanation (optional)
If desired, the department may submit an accompanying explanation describing the course or any aspect of the syllabus in more detail. The department may wish to include such things as the instructor's focus in the course, class size, or the frequency of offering.

Evaluation
The Committee will evaluate courses under the 2014 Process for Course Approval: "All NDSU General Education courses must meet at least 60% of the bulleted learning outcomes listed under

at least one and no more than two of the seven NDSU Undergraduate Learning Outcomes." The course review checklist may be found on the General Education Faculty page with the other course application materials.

Reminders:
When a course is approved as meeting general education requirements, the department agrees to the following:

1. Instructors or departments will notify the General Education Committee when substantive changes are made in the intended Undergraduate Learning Outcome(s) for the course.

2. The instructor will participate in the scheduling and carrying out of assessment of the Undergraduate Learning Outcome(s) for the course.

3. Instructors and departments will provide evidence for student achievement of the appropriate Undergraduate Learning Outcome(s) in department annual and assessment reports.

4. Instructors should retain copies of all major course materials, including assignments and syllabi, for three years. Some of these materials may be requested by the Committee in periodic course re-evaluations.

5. The committee may require instructors to submit samples of student work for general education assessment and course recertification purposes, upon request.

6. Department chairs/heads are responsible for ensuring that syllabi and websites for all General Education courses continue to comply with General Education Guidelines.

For additional information or to submit electronic course packets, contact ndsu.gen.ed@ndsu.edu

GENERAL EDUCATION NEW COURSE TEMPLATE

(For courses seeking approval as meeting general education requirements)

Department: _____ **Course Prefix and Number**: _____

Course Title: _____

Instructor(s): _____

Semester the course will be first offered for General Education: _____

This form was completed by: _____

Date: _____

Campus phone #: _____ **E-mail:** _____

ITEMS TO BE INCLUDED: (Please use these headings as the template.)

1. Course Information

GE category(ies) for which you are submitting this course_____

Course title/number/credits_____

Bulletin description_____

Students for whom the course is intended (only if applicable)_____

(e.g., chemistry for students with good preparation in high school math and science Prerequisites for courses shall be only other general education courses and may not exclude students from any major other than that of the department offering the course)

2. Textbook(s)/Course Materials/Library Materials on Reserve (if required)

Please include at least the author, title, edition, publisher, and date for each required material.

3. Course and Undergraduate Learning Outcome(s)

List course and Undergraduate Learning Outcome(s) in measurable terms. The first selected University Learning Outcome should match the chosen categories, where possible. Outcomes and categories relate as follows:

Category	Outcome
Communication	Communication
Quantitative Reasoning	Critical Thinking, Creative Thinking, and Problem Solving
Science and Technology	Natural and Physical Sciences OR Technology
Humanities and Fine Arts	Human Societies
Social and Behavioral Sciences	Determined by instructor, based on course content
Wellness	Determined by instructor, based on course content
Global Perspectives (must be paired with one of the first six categories)	Diversity and Global Perspectives
Cultural Diversity (must be paired with one of the first six categories)	Diversity and Global Perspectives

4. Student Activities to Promote the Undergraduate Learning Outcome(s) for this course

(Explain which student activities in your class (e.g., attending lectures, participating in discussions, reading and integrating perspectives and information, conducting experiments, etc.) promote the Undergraduate Learning Outcome(s) listed under number three. For example, which student activities included in the attachments refer to the outcome(s)? Please provide specific examples of student activities for each outcome and check to ensure they correspond with the completed Undergraduate Learning Outcome Rubric. If this course is also offered online or in a web-based format, please note this and indicate to what extent the student activities differ.

5. Student Workload

Briefly describe how the student workload for the course meets the standard Carnegie Credit Hour definition of two hours outside of class for every hour in class

6. Evaluation of the General Education Undergraduate Learning Outcome(s)

What methods of evaluation do you use to measure the Undergraduate Learning Outcome(s) (e.g., group project, in-class activities, midterm, final, quizzes/tests, papers, attendance, class participation, questions, discussions after class)? What criteria do you use to judge if students are meeting the Undergraduate Learning Outcome(s)? Please provide specific examples of evaluation methods and criteria for the outcome(s). Please link each example to the specific student activities noted under heading four for the outcome(s), and explain how each example provides evidence for the specific bulleted learning outcomes from the Undergraduate Learning Outcome in the Undergraduate Learning Outcome Rubric for the outcome. If this course is also offered online or in a web-based format, please note this and indicate to what extent the evaluation of the outcome(s) differs.

7. Schedule and Topics

(e.g., major assignments, exams/quizzes, projects, vacations, field trips or special activities, unless provided in attached syllabus)

For additional information, contact ndsu.gen.ed@ndsu.edu

Undergraduate Learning Outcome 1: Communication

For a course to meet Undergraduate Learning Outcome 1, student products should be substantial and should constitute at least 50% of the course grade. The course must require that students produce at least three pieces total. Those three assignments must include examples from two of the following categories: writing, oral presentations, or visual communication. Students should receive structured feedback and at least one revision should be required.

For course approval, the course must address 60% or more of the following outcomes for this category. Students will:

• Effectively communicate analysis, knowledge, understanding, expression and/or conclusions	N/A Evidence:	No	Yes
• Skillfully use high-quality, credible, relevant sources	N/A Evidence:	No	Yes
• Demonstrate appropriate conventions in a variety of communication situations	N/A Evidence:	No	Yes
• Demonstrate the ability to communicate effectively with diverse audiences in a variety of contexts	N/A Evidence:	No	Yes
• Other. Please specify. This item may augment the 3 (of 4) required bullets above.	N/A Evidence:	No	Yes

Evidence= evidence from student activities in course;

Undergraduate Learning Outcome 2:
Critical Thinking, Creative Thinking, and Problem Solving

For course approval, the course must address 60% or more of the following outcomes for this category. Students will:

Explain the nature of evidence used for analysis	N/A Evidence:	No	Yes
Apply quantitative and qualitative methods to collect and analyze data	N/A Evidence:	No	Yes
Apply creativity and divergent thinking	N/A Evidence:	No	Yes
Evaluate the assumptions, evidence, and logic of competing views and explanations	N/A Evidence:	No	Yes
Identify methods of inquiry, approaches to knowledge, and their assumptions and limitations in multiple disciplines	N/A Evidence:	No	Yes
Evaluate, synthesize, and apply evidence to understand and address complex, real world problems	N/A Evidence:	No	Yes
Generate creative, reasoned, approaches or solutions to unscripted, real world problems	N/A Evidence:	No	Yes
Other. Please specify. This item may augment the 4 (of 7) required bullets above.	N/A Evidence:	No	Yes

Evidence= evidence from student activities in course
Revised 9/7/15; Expires

Undergraduate Learning Outcome 3: Technology

For course approval, the course must address 60% or more of the following outcomes for this category. Students will:

• Use technology to enhance understanding	N/A Evidence:	No	Yes
• Identify the social, aesthetic, and ethical implications of technological decisions	N/A Evidence:	No	Yes
• Analyze how technology evolves and shapes human experience	N/A Evidence:	No	Yes
• Apply technology to demonstrate creativity and solve problems	N/A Evidence:	No	Yes
• Demonstrate how technology augments our experiences and understandings	N/A Evidence:	No	Yes
• Other. Please specify. This item may augment the 3 (of 5) required bullets above.	N/A Evidence:	No	Yes

Evidence= evidence from student activities in course

Undergraduate Learning Outcome 4: Natural and Physical Sciences

For course approval, the course must address 60% or more of the following outcomes for this category. Students will:

• Analyze components and dynamics of natural and physical worlds	N/A Evidence:	No	Yes
• Develop models to explain phenomena within the natural and physical worlds	N/A Evidence:	No	Yes
• Identify the role of scientific methods in the study of natural and physical worlds	N/A Evidence:	No	Yes
• Other. Please specify. This item may augment the 2 (of 3) required bullets above.	N/A Evidence:	No	Yes

Evidence= evidence from student activities in course Revised 9/16/15 Expires

Undergraduate Learning Outcome 5. Human Societies

For course approval, the course must address 60% or more of the following outcomes for this category. Students will:

• Identify the nature and impact of aesthetic and creative activities in human experience	N/A No Yes Evidence:
• Analyze the interplay of self and society, particularly how social structures shape human experiences and how humans shape social structures	N/A No Yes Evidence:
• Analyze the components and dynamics of human societies in their artistic, cultural, and historical contexts	N/A No Yes Evidence:
• Apply theories or research methods to understand human events, identities, artifacts, or social structures	N/A No Yes Evidence:
• Engage in a creative, aesthetic, or artistic activity	N/A No Yes Evidence:
• Other. Please specify. This item may augment the 3 (of 5) required bullets above.	N/A No Yes Evidence:

Evidence= evidence from student activities in course Revised 9/16/15 Expires

Undergraduate Learning Outcome 6: Diversity and Global Perspectives

For course approval, the course must address 60% or more of the following outcomes for this category. Students will:

• Identify how values and contributions of diverse societies provide contexts for individual experiences, values, ideas, artistic expressions, and identities	N/A Evidence:	No	Yes
• Identify the role diversity plays in the ability of biological organisms to adapt to a changing environment	N/A Evidence:	No	Yes
• Analyze how diversity contributes to and shapes solutions to challenges confronting the global community	N/A Evidence:	No	Yes
• Evaluate how diverse systems (both natural and human-made), technologies, or innovations emerge from, interact with, and affect various communities	N/A Evidence:	No	Yes
• Collaborate with others in diverse interpersonal, intercultural, or international settings	N/A Evidence:	No	Yes
• Other. Please specify. This item may augment the 3 (of 5) required bullets above.	N/A Evidence:	No	Yes

Evidence= evidence from student activities in course

Undergraduate Learning Outcome 7: Personal and Social Responsibility

For course approval, the course must address 60% or more of the following outcomes for this category. Students will:

• Examine their own values, biases, and conclusions	N/A Evidence:	No	Yes
• Analyze the ethical basis for and implications of personal, professional, and civic decisions	N/A Evidence:	No	Yes
• Comprehend and demonstrate appropriate and healthy standards of personal and professional behavior	N/A Evidence:	No	Yes
• Identify stewardship of the land and its people as integral to a land-grant university	N/A Evidence:	No	Yes
• Analyze how personal choices impact communities and the world	N/A Evidence:	No	Yes
• Engage in service learning	N/A Evidence:	No	Yes
• Other. Please specify. This item may augment the 4 (of 6) required bullets above.	N/A Evidence:	No	Yes

Evidence= evidence from student activities in course

Overview and Guide to New GE Course Proposals

Chairs/Heads

The primary change
The GE committee voted to alter the course proposals forms to have all new or revised courses identify outcomes from the Senate approved University Learning Outcomes list instead of the old outcomes identified for GE.

What does this mean for applying:

- the process is still essentially the same, but all forms got updates to reflect the new outcomes
- because, in many cases, there are outcomes that line up well with the categories, the GE committee has required that the first chosen outcome line up with its related existing category, where possible, like this:

Existing Categories	Outcome
Communication	Communication
Quantitative Reasoning	Critical Thinking, Creative Thinking, and Problem Solving
Science and Technology	Natural and Physical Sciences OR Technology
Humanities and Fine Arts	Human Societies
Social and Behavioral Sciences	Determined by instructor, based on course content
Wellness	Determined by instructor, based on course content
Global Perspectives (must be paired with one of the first six categories)	Diversity and Global Perspectives
Cultural Diversity (must be paired with one of the first six categories)	Diversity and Global Perspectives

- second selected outcomes can generally be any emphasized by the course
- the new forms will be posted online: https://www.ndsu.edu/facultysenate/gened/forms/

What does this mean for chairs and heads? A continuation of your roles in relation to the NDSU core curriculum.

- Please encourage your faculty to apply for general education course approval, where appropriate.
- Let them know that the forms are available online under General Education (Faculty) in the Directory (updates available soon).
- Support faculty in their assessment of the outcomes.

Policy Change Cover Sheet

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

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

SECTION: Policy 327- Evaluation of Academic Deans, Directors and Department Chairs and Heads

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ✓No
   - Describe change: adding Provost and FT Vice Provosts, Academic Vice Presidents, and FT Associate/Assistant Deans, to be evaluated under this policy; clarifying annual review and comprehensive review responsibilities; changing comprehensive review from every three years, to year three of initial appointment and every five years thereafter; streamlining evaluation criteria; separating evaluation procedure from policy.

     Please note that the attached procedures are provided as information to accompany the policy changes and do not need to be voted upon.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted: Commission on the Status of Women Faculty, working with the Office of the Provost – submitted 10-16-2015
   - Email address of the person who should be contacted with revisions: Karen.Froelich@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

SECTION 327
EVALUATION OF ACADEMIC ADMINISTRATORS~~ACADEMIC DEANS, DIRECTORS AND DEPARTMENT CHAIRS AND HEADS~~

SOURCE: NDSU President
Faculty Senate

1. **Introduction**

North Dakota State University believes every university employee deserves regular evaluation of his or her professional duties as they relate to a formal job description and the university's needs. ~~-~~This process should be transparent and constructive~~honest, open~~, ~~and forthright;~~ including an acknowledgment of the employee's achievements, as well as an assessment of his or her ability to match the university's expectations~~, and a determination of areas needing improvement~~.

~~As t~~This ~~evaluation process~~policy pertains~~relates~~ to the ~~campus~~ provost, full-time vice provosts, academic vice presidents who report to the provost, academic deans, full-time academic associate and assistant deans, directors of academic offices, and ~~,~~ chairs and heads.~~, directors, and other academic supervisory personnel,~~ ~~-~~The evaluation process will include input from a variety of groups; faculty will play a major role in evaluation of academic administrators.~~it is expected that an evaluation will always emphasize areas of special achievement, while also identifying areas needing improvement. This should be a constructive and useful experience to be welcomed by the person being evaluated. It is a required part of an ongoing process designed to ensure that the person evaluated continues to meet both his or her own needs, as well as the needs of affected university publics.~~

2. **Annual Review~~Timetables~~**

Each administrator covered by this policy will be reviewed annually by the administrative supervisor to whom that person reports in accordance with Policy 167.

3. **Comprehensive Review**

All administrators covered under this policy will undergo a comprehensive review. ~~Evaluation of deans, directors, and chairs will include input from a variety of groups. This document is designed to guide faculty, as they play a major role in evaluation of academic supervisors. It is expected that deans, chairs, and directors will be evaluated formally~~The first comprehensive review will be completed by the end of the administrator's third year of appointment. Subsequent reviews will occur ~~at least~~ every ~~three~~five years, to be completed by the end of the fifth year after the prior review. Interim reviews may be requested by the administrator or by the person to whom the administrator reports. ~~-~~If a review indicates substantial areas of concern or lack of performance, the next review will be completed within two years of that review.~~The college or department Promotion, Tenure and Evaluation (PTE) committee, supervising administrator, or the employee himself/herself may request an evaluation.~~

4. **Common Review Criteria**

Review criteria should be based on the administrator's job description which may include, but are not limited to the following:
a) leadership, strategic planning and assessment;
b) administration and management;
c) commitment to institutional values including equity and diversity, academic freedom, and shared governance;
d) external relations;
e) service to the broad mission of the University.
The relative importance of evaluation areas will vary with position of the administrator; therefore some criteria above many not apply and others may be added.

5. **Procedures**

Reviews will be initiated by the administrator's supervisor, and must be conducted according to the Comprehensive Review Procedures for Academic Administrators.

Review committees – consisting of tenured faculty, relevant administrators, and staff – will be formed in accordance with the Comprehensive Review Procedures. The review committee shall prepare a report summarizing its findings for submission to the supervisor.

As personnel matters, reviews and any materials generated during the review process are confidential. The supervisor will provide a summary of the review for public distribution.

~~I. **Evaluation of academic deans and directors**~~

- ~~**Evaluation standards**~~

~~While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.~~

~~4. Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.~~

~~5. Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.~~

~~6. Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of chairs, faculty and staff, manages the dean's or director's office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other colleges, makes decisions in a timely fashion.~~

~~7. Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.~~

~~8. Instruction. Coordinates and implements curricula as developed by the faculty.~~

9. ~~Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.~~

10. ~~Development. Within the context of the college, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.~~

11. ~~Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.~~

12. ~~Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.~~

- ~~**Evaluation Procedures**~~

VI. ~~The Office of the Provost initiates evaluations of these administrators. To ensure faculty involvement, the faculty of a college or unit must organize a committee consisting of full-time non-administrative faculty at the assistant professor, associate professor, or full professor level. Members of the Evaluation Committee are recommended to the Provost the college or unit's PTE Committee, as appropriate under the evaluative charge of this group. However, members of the college's PTE Committee cannot appoint themselves.~~

VII. ~~The number of faculty on the committee may be flexible, but should total at least five. Evaluation Committee members should decide at an initial meeting the number of members constituting a quorum. A timetable should be set in consultation with the Provost or other senior administrative office to assure that the faculty evaluation material is ready in time to be included in the entire evaluation document.~~

VIII. ~~The Evaluation Committee will propose a written evaluation form based upon the formal job description, dean's statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the dean/director, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit responses from faculty, chairs, peer administrators, and others including classified staff, students, recent graduates, and external constituencies, if appropriate.~~

IX. ~~The Evaluation Committee will analyze the completed evaluation forms and prepare a committee evaluation report summarizing the findings for the Provost. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the college or division have changed, it may recommend to the Provost that the position description be changed.~~

~~X. Upon receipt of the committee's evaluation report, the Provost will also analyze and summarize the data. The Provost will then meet with the Evaluation Committee to determine consensus and discuss differences. The Provost will prepare a draft report of the final evaluation and provide it to the dean. The Provost will meet with the dean and discuss the findings of the Evaluation Committee. Following this meeting, a final evaluation report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the dean/director discuss this final evaluation report at a subsequent college or division faculty meeting.~~

~~XI. At any time, faculty or staff not on the committee, of course, may contact the Office of the Provost or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.~~

~~II. Evaluation of chairs and heads~~

- ~~**Evaluation standards**~~
  ~~While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.~~

- ~~Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.~~

- ~~Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.~~

- ~~Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of faculty and staff, manages the department office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other departments, makes decisions in a timely fashion.~~

- ~~Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.~~

- ~~Instruction. Coordinates and implements curricula as developed by the faculty.~~

- ~~Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.~~

- ~~Development. Within the context of the (college) unit, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.~~

- ~~Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.~~

- ~~Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.~~

  - ~~**Evaluation Procedure for chairs and heads**~~

    1. ~~Chairs also must be evaluated at least once every three years, with the dean of the college or the director of the unit initiating the evaluation process. The dean, in conjunction with the department faculty, will form an ad hoc committee consisting of at least three faculty members.~~

    2. ~~This ad hoc committee chair will propose a written evaluation form based upon the chair's formal job description, statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the chair, who will be invited to offer input before the document is finalized. The final evaluation form will be used to solicit response from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if appropriate, external constituencies.~~

    3. ~~The ad hoc committee will analyze the completed evaluation forms and prepare a report summarizing the findings for the dean. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed.~~
    4. ~~Upon receipt of the report from the Evaluation Committee, the dean will also analyze and summarize the data. The dean will then meet with the ad hoc committee to determine consensus and discuss differences. The dean will prepare a draft report and provide it to the chair. The chair will meet with the dean regarding the report. Following this meeting, a final report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the chair discuss this evaluation at a subsequent department faculty meeting.~~

    5. ~~At any time, faculty or staff not on the committee, of course, may contact the deans' office or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.~~

HISTORY:

New	July 1990
Amended	April 1992
Amended	January 1995
Amended	January 1996
Amended	February 1997

Amended	May 1997
Amended	January 2003
Amended	October 2007
Housekeeping	February 14, 2011
Housekeeping	July 12, 2013

COMPREHENSIVE REVIEW PROCEDURES ADAPTED FROM SECTION 327 EVALUATION OF ACADEMIC ADMINISTRATORS

1. Introduction

In addition to annual review, full-time academic administrators are subject to comprehensive review in their third year of initial appointment and at least once every five years thereafter. The comprehensive review process for academic administrators follows the guidelines described below.

2. Evaluation of Provost, Vice Provosts, and Academic Vice Presidents

a) **Initiating evaluation.** Reviews will be initiated by the administrator's supervisor. A review committee will be formed, consisting of tenured faculty, relevant administrators and staff.

b) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

c) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

d) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from peer administrators, deans, chairs/heads, and appropriate faculty, staff, students, and other constituents. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

e) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the supervisor. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes

the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the immediate supervisor regarding the review committee's report.

f) **Supervisor report and action plan.** An evaluation report will be written by the immediate supervisor, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The supervisor will meet with the administrator to review the evaluation report and action plan. The final supervisor's report and action plan will be placed in the administrator's personnel file.

g) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

3. **Evaluation of Academic Deans**

a) **Initiating evaluation.** The Office of the Provost initiates evaluations of academic deans (including dean of the graduate school and dean of libraries).

b) **Forming the review committee.** To ensure faculty involvement in evaluation of college deans, members of the review committee are recommended to the provost by the college or unit's PTE committee. Members of the PTE committee cannot appoint themselves as a group. The review committee must consist of full-time non-administrative faculty, as well as relevant staff and other constituents. The number of faculty on the committee may be flexible, but should total at least five, including at least three tenured faculty members and two full professors. Assistant professors may serve, as long as the tenured faculty minimum is met. To ensure constituent involvement in evaluation of the dean of the graduate school and the dean of libraries, members of the review committee are recommended to the provost by the executive committee of the faculty senate. The review committee must consist of tenured faculty and relevant administrators and staff. A majority of any review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the provost or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the dean's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the dean, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, chairs/heads, peer administrators, and others including classified staff, students, recent graduates, and external constituencies. Additional input from interviews or other solicited/contributed

materials may be considered. Both the review committee and the provost can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the dean's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the provost. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the college have changed, it may recommend to the provost that the position description be changed. The chair of the review committee will meet with the provost regarding the review committee's report.

g) **Provost's report and action plan.** An evaluation report will be written by the provost, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The provost will meet with the dean to review the evaluation report and action plan. The provost's final evaluation report and action plan will be placed in the dean's, official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the committee may contact the review committee or provost with comments or concerns relating to the person being evaluated.

4. Evaluation of Chairs and Heads

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of chairs or heads. The process for annual feedback may be determined by the department.

b) **Initiating evaluation.** The dean of the college or director of the unit initiates review of chairs and heads. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the dean to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the chair or head's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the chair or head, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if

appropriate, external constituencies. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the dean can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the chair or head's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The dean will meet with the chair or head to review the evaluation report and action plan. The final dean's report and action plan will be placed in the chair or head's official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or deans' office or other appropriate supervising officer directly with comments or concerns relating to the person being evaluated.

5. **Evaluation of Associate or Assistant Deans and Directors**

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of associate or assistant deans and directors. The process for annual feedback may be determined by the college.

b) **Initiating evaluation.** The supervising dean initiates the evaluation of associate or assistant deans and directors. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders based on the individual's job description. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a records keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant evaluation criteria that apply in this context. A draft of the adapted evaluation form will be

made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from members of groups impacted by or involved with the work of the associate/assistant dean or director (such as faculty, staff, peer administrators, deans, chairs/heads, students, and other constituents). Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The dean will meet with the administrator to review the evaluation report and action plan. The final dean's report and action plan will be placed in the administrator's personnel file.

h). **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

Policy Change Cover Sheet

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

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

SECTION: Policy 151: Code of Conduct

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes XXXX No
   - Describe change: The previous language was vague and ambiguous, such as what the requirements to be collegial and positive entailed. As a result, unfortunate misinterpretations of policy could adversely affect employment.
     The new language focuses on professional conduct with clearer guidance.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted – Faculty and Staff Senates
   - Email address of the person who should be contacted with revisions - dennis.cooley@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 151
CODE OF CONDUCT

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

1. Introduction and Application.
This Code of Conduct governs the State Board of Higher Education and its members and establishes minimum standards for all NDUS officers and employees. The Board and entire NDUS are committed to uphold the highest ethical and professional standards. All Board members and NDUS officers and employees must, at all times, comply with all applicable laws, regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, or bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law.

2. General Conduct.
The Board supports an environment that is free of discrimination or harassment. All Board members, officers and employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of the NDUS, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or applicable system office or institution policies, are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law or SBHE Policy 603.1, is prohibited.

~~*Officers and employees are expected to uphold the values of honesty, respect, integrity and trust. In addition, when interacting with one another and the public, all are expected to behave in a professional, collegial, cordial, civil, positive, respectful and ethical manner.*~~

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

NDSU requires all employees to act professionally in their interactions with others including:
A. Following training and job specific requirements as stated in the employee's job description or appointment letter,
B. Respecting the value, creativity, and diversity of all persons, which includes diversity of opinions and professional approaches to doing things, (See Policy 100: Equal Opportunity and Non-discrimination Policy and Policy 325: Academic Freedom for guidance.)

C. Contributing to an environment of respectful and productive working relationships with those with whom the person interacts, and

D. Making good faith efforts to resolve differences constructively.

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

3.1 Conflict of Interest – Contracts.
An officer of the North Dakota State Board of Higher Education authorized to sell or lease any property or make any contract in the officer's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract.

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

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

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

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

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

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

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

Employees have an obligation to act in the best interests of NDSU. Any direct or indirect personal or financial interest which could create a conflict of interest or the appearance of a conflict of interest in any agreement, transaction or relationship must be disclosed by the employee by completing and signing the North Dakota State University Conflict of Interest Disclosure Statement and submitting it to the employee's supervisor. This includes but is not limited to the disclosure of privately owned assets being used or otherwise commingled

with state assets and participation in any foundation, business or public entity which may create a conflict with an employee's obligations to NDSU. See also NDSU Policy 152: External Professional Activities.

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

5. Relationships with Clients and Suppliers; Conflicts of Interest.
   Board members are not NDUS employees and may have other full or part-time employment and other professional, civic and personal responsibilities and activities, in addition to their part-time service as Board members. Nevertheless, Board members must be familiar with and comply with applicable laws governing conflict of interest that apply to Board members and should strive to avoid other activities that create an obligation, interest or distraction that interferes with the independent exercise of judgment in the best interest of the NDUS. They should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the NDUS or NDUS institution, or that provides goods or services to the NDUS, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties.

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

7. NDUS Funds and Other Assets
   Board members, officers and employees who have access to NDUS fund and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDUS procedure manuals or other explanatory materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior or to legal counsel.

   Board members, officers and employees responsible for spending or approving expenditure of NDUS funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of the NDUS to ensure that good value is received for every expenditure. NDUS funds and all other assets are for NDUS purposes only and not for personal use or benefit. NDUS or other public equipment, supplies and other property or assets

may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or policy.

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

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

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

11. Privacy, Confidentiality and Open Records.
    Board members, officers and employees must at all times comply with applicable laws, regulations and SBHE policies concerning privacy, confidential records, access to open records and records retention.

12. Reporting Suspected Violations; Procedures for Investigating Reports.
    Officers and employees shall report suspected violations of this Code to their superior, some other senior manager or administrator or legal counsel. In addition, the NDUS shall maintain a fraud hotline and suspected violations may be reported by use of that hotline. Any officer or employee who makes a report in good faith shall be protected against retaliation of any kind; any officer or employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline. Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.

    Board members who have information concerning a possible violation of this Code or are uncertain about application or interpretation of any legal requirement should report the matter to the chancellor, legal counsel or the attorney general.

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

13. Institution Codes.

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

a. A Statement of the organization's values;

b. The people or groups of people affected;

c. A brief description or list of key behaviors that are accepted and not accepted;

d. How to identify and resolve conflicts of interest;

e. How to report violations and to whom;

f. Consequences of violating the Code;

g. Consequences of failure to report known or suspected violations; and

h. How reports will be investigated.

The NDUS office and each institution shall require that each new employee review the Code of Conduct and sign a statement certifying the employee has read and agrees to comply with the Code. Further, all benefited employees are require to annually certify in writing that they have read and are in compliance with the Code of Conduct.

Resources and Related Policies:

NDSU Policy 100: Equal Opportunity and Nondiscrimination Policy
NDSU Policy 110: Employment of Relatives
NDSU Policy 100.1: Nondiscrimination of the basis of Disabilities and Reasonable Accommodation
NDSU Policy 112: Pre-employment and Current Employee Criminal Record Disclosure
NDSU Policy 151: Conflict of Interest
NDSU Policy 151.1: External Activities and Conflicts of Interest
NDSU Policy 152: External Professional Activities
NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees
NDSU Policy 160: Political Activities of University Employees
NDSU Policy 161: Fitness for Duty
NDSU Policy 162: Sexual Harassment Policy
NDSU Policy 162.1: Consensual Relationships
NDSU Policy 169: Employee Responsibility and Activities: Theft and Fraud
NDSU Policy 169.1: Employee Misuse of Property Reports - - Protections
NDSU Policy 190: Employee Responsibility and Activities: Intellectual Responsibility
NDSU Policy 323: Selection of Textbooks and other Curricular Materials
NDSU Policy 326: Academic Misconduct
NDSU Policy 345: Research Involving Human Subjects
NDSU Policy 340.1: Coursepacks
NDSU Policy 400: Purchasing - General Policies
NDSU Policy 406: Surplus Property
NDSU Policy 505: Property, Plant and Equipment
NDSU Policy 700: Services and Facilities Usage

NDSU Policy 700.1: Use of University Name
NDSU Policy 700.2: Taking Equipment Off-Campus
NDSU Policy 700.3: Personal Use of State Property
NDSU Policy 710.1: Web Advisory Board
NDSU Policy 712: Contract Review
NDSU Policy 718: Public/Open/Restricted Records
NDSU Policy 823: Financial Disclosure - sponsored Projects
NDUS Policy 603.3: Nepotism
NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility
NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest
NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials
NDUS Policy 803.1: Purchasing Procedures
Conflict of Interest Form
NDSU Consulting Authorization Request Form
NDSU Fraud Hotline
AAUP Statement of Professional Ethics
NDSU Research Foundation
N.D.C.C. Ch. 12.1-13 (See section 12.1-13-03: Public servant's interest in public contracts.)
N.D.C.C. Ch.48-01.2: (See section 48-01.2-08: Officers must not be interested in contract.)
N.D.C.C. Ch. 44-04: (See section 44-04-09: Nepotism.)

HISTORY:

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

Policy *337* Version *1* *042315*

Policy Change Cover Sheet

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

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

SECTION: *337 ~~Examinations and Grading~~Grade Appeals Board*

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - *Changes are being made to clarify the process and eliminate ambiguous language.*

2. This policy was originated by (individual, office or committee/organization):
   - *Provost's Office ((Charlene Wolf-Hall))*
   - *Charlene.hall@ndsu.edu*
3. This policy has been reviewed/passed by the following (include dates of official action):

This portion will be completed by Melissa Lamp

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

If you have any questions regarding this cover sheet, please contact Melissa Lamp at 1-6133 or Melissa.lamp@ndsu.edu.

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

North Dakota State University Policy Manual

SECTION 337 ~~EXAMINATIONS AND GRADING~~GRADE APPEALS BOARD

SOURCE: NDSU President Faculty Senate Policy

The Grade Appeals Board purpose and membership are established in Part XI of the Faculty Senate Bylaws.

GRADE APPEALS BOARD PROCEDURES AND PREREQUISITES FOR APPEAL:

1. The Board may be utilized only after the student has exhausted all possible appeal routes within the college offering the course involved. Each individual college will be expected to specify such appeal routes, but the following guidelines should be adhered to as closely as possible and will apply in the absence of any specialized procedures.

The academic freedom of instructors is acknowledged in this policy and as such, the evidence for overturning a grade assigned by an instructor must be overwhelming and clearly demonstrate that the instructor used inappropriate or irrelevant factors in determining a course grade. Situations in which a student might consider an appeal include but are not limited to the following:

- perceived violations of the grading policy, as stated in the course syllabus
- other violations of NDSU policy pertaining to student grading
- influence of irrelevant factors such as race, sex, or personal animosity
- erroneous grading (e.g. mathematical error)
- inequitable grading
- medical or other hardship that 1) could justify either a course grade of "incomplete" or exemptions from specific grading components in the grade computation, and 2) was communicated with the instructor in a timely manner when the issue(s) arose.

Grade assigned as a result of Policy 335 ~~processes~~: Code of Academic Responsibility and Conduct may not be appealed using this policy and its processes.

a. A student ~~must~~who disputes an assigned grade may initiate a request for a change of a grade with the instructor within fifteen (15) instructional days of the first day of the semester immediately following the semester in which the grade was awarded. For Spring Semester courses, the request ~~may~~must be made within fifteen (15) instructional days of the start of Fall Semester~~, if the student is not enrolled for a Summer term but is enrolled in Fall Semester.~~ .

An appeal is deemed formally initiated when the student presents the Grade Appeal Form to the instructor. The Grade Appeal should also include the following as supplementary material:

- the course syllabus including grading procedures
- the grade originally assigned and the requested grade change
- the justification for the proposed grade change based on the specific disputed criterion (e.g. an assignment, project, or exam grade) and the grading system outlined in the course syllabus.

The instructor must date and initial the form ~~at that point~~upon receipt. Within five (5) instructional days, the instructor shall inform the student, via NDSU email, of his/her decision, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, date and sign the Form~~, and then return the Form to the student.~~ . If the appeal is approved, the

form along with a memo and/or Grade Reporting Form indicating the new grade shall be returned to Registration and Records. If the appeal is denied by the instructor, the Form is returned to the student to proceed to the next level if desired.

b. If there is an unsatisfactory decision at the instructor level, the student ~~must consult~~ may present the appeal to the department chair/head~~, and the dean or a designated college committee, proceeding from one level to the next only after an unsatisfactory decision of the conflict at that level. In the event that~~ within five (5) instructional days. The chair/head should return his/her decision on the appeal to the student. If the instructor is also the department chair/head or dean, he or she need only be consulted in the capacity of instructor~~. The student shall have five (5) instructional days following~~ and the appeal may be continued at the college level.

c. If an unsatisfactory ~~outcome of the appeal to continue with the appeal~~decision is rendered at the ~~next~~department level, the student may proceed to the college dean within five (5) instructional days.

d. At each stage, the individual considering the appeal shall inform the student and instructor of his/her decision within five (5) instructional days, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.
~~c. The instructor must be informed of all proceedings in Section b above by the person in charge at the level.~~
~~d~~
e. Both the instructor and the student shall have the right at any time during the proceedings to call a meeting of all persons involved in submitting and considering the appeal and, optionally, to invite the Board to send an observer to that meeting.
~~e~~
f. In the event that the instructor~~ is no longer employed by North Dakota State University, or~~ is on leave from the University, the instructor may designate another faculty member from within the department to represent his/her interest in the grade appeal. If the instructor is no longer employed by North Dakota State University, or is not available to designate a substitute, the department chair/head shall represent the absent faculty. If the department head cannot act impartially, a substitute shall be designated by the dean.

2. In the event of an unsatisfactory decision ~~within~~at the college level, the student may submit a formal written appeal to the Grade Appeals Board Chair. Such an appeal shall be made within fifteen (15) instructional days after conclusion of the college proceedings as stated above.

3. ~~In~~ A college dean or a department chair/head, with approval of the college dean, may change a grade without the instructor's approval in extraordinary circumstances~~ (such as~~. Such circumstances include avoiding a clear injustice or mistake~~, (~~e.g., ~~an~~a clear mathematical error, violation of policy, or instructor ~~leaves, refuses~~refusal to respond to inquiries about the grade~~, there is a mathematical error or violation of the syllabus), and after the procedures in Subsection 1 above have been completed, a department head, with approval of the dean of the college, can change a grade without the instructor's approval.~~). In such cases, a note of record explaining the basis for the decision and the new grade shall be filed with the Registrar. An instructor can appeal such a grade change to the Grade Appeals Board pursuant to this Policy. Colleges can adopt procedures to implement this subsection.~~ (Note: The purpose of this~~

~~provision is to avoid compelling the student to go through the formal appeal to the Grade Appeals Board where the outcome is certain and clear in the student's favor.)~~

4. The Grade Appeals Board Chair will handle appeals~~.~~ that proceed to that level.

5. ~~The~~In case of student appeal to the Grade Appeals Board, the Chair will send a copy of the appeal ~~document~~documents to the instructor within ten (10) instructional days. The instructor will have fifteen (15) instructional days to respond directly to the Board Chair with any additional information regarding the student's appeal.

6. The Board Chair will then distribute copies of the appeal document and the instructor's response to all Board members and the instructor within five (5) instructional days. If a Board member is unable to participate in the proceedings, his or her alternate will act for the member.

7. Each Board member (or alternate) must inform the Board Chair in writing within five (5) instructional days indicating whether there is a need to hold a meeting to discuss the appeal. If ~~all~~at least two-thirds of the members indicate that the student has not made a legitimate case for appeal, the appeal is denied and the student is notified, through NDSU email, within five (5) instructional days of the Board's decision. Otherwise, the Chair will ~~call~~schedule a meeting of the Board within ten (10) instructional days.

8. A quorum for the meeting will consist of at least 50% of the faculty members and at least 50% of the student members. At this meeting, the Board will raise any questions unanswered by the appeal and instructor's response. The Board will then vote to decide whether to hold a hearing based on the ~~following criteria:~~evidence presented by the student ~~presented evidence of prejudicial grading or raised questions of the possibility of prejudicial grading.~~and instructor. A hearing will be scheduled within fifteen (15) instructional days if a ~~simple~~ majority of members present vote to hold a hearing. If the appeal is denied, the Board Chair may provide a brief explanation for the decision.

9. If the Board decides to hear the appeal, it shall provide the instructor and student with a copy of any written statement provided to the Board by the other party.

10. If an appeal is made by the instructor of the course against the grade change instituted by the chair/head or the dean, the instructor will have recourse to the same procedures outlined for student appeal in 337.7.8.9.

HEARING PROCEDURES

1. General Provisions

a) If the Board decides to hear an appeal, it shall designate from among its total membership a panel of seven members to hear the appeal. Four members of the panel shall be chosen by lot by the Board Chair from the faculty membership of the Board, and two additional members of the panel shall by chosen by lot by the Board Chair from the student membership of the Board. The seventh member of the panel shall be the Board Chair, who shall serve as a non-voting moderator of the hearing panel. In order to avoid any conflict of interest, a board member who believes that he/she may not be able to hear a case fairly shall recuse himself/herself and shall be replaced by his/her alternate. ~~Additionally,~~Both the student and the instructor shall be informed of the members slated to serve at the hearing. The student and the instructor shall each have one peremptory challenge to remove a board member from service on the hearing

panel. A challenged board member shall be replaced by his/her alternate. In the event that a challenged board member is an alternate, another member of the board shall be chosen by lot to serve on the hearing panel. The word "Board" shall be used hereafter in these hearing procedures to describe the seven-member hearing panel so elected, or the full Board, in the event it decided to hear an appeal of a hearing panel decision.

b) All hearings are normally open only to those people who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the student, instructor, and Board Chair. Because the hearing involves non-directory academic record information, as defined by the Family Educational Rights and Privacy Act of 1974, it is not open to the public and the content may not be further disclosed without explicit written consent of the student involved.

c) The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings and advise his/her party. Unless allowed by the Board Chair, the advisor/counsel will not be permitted to address the Board or witnesses.

2. Evidence. Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all reasonable and relevant information to be presented for the Board's consideration.

a) The Board shall allow an initial presentation by the student and then by the instructor involved~~,~~ (or by the instructor and then by the student, in case of instructor appeal), after which it may call on such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.

b) Hearsay evidence is permitted; the members of the Board may consider such evidence and assign it any weight appropriate by each individual Board member.

c) An absolute right of cross-examination is not granted under this policy. All questions will be directed through the Board Chair. The Board Chair will allow all relevant and reasonable questions to be placed to either party or their witnesses, but retains the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude by the Board Chair to respond to those questions fully.

d) Either party or their witnesses before the board will be permitted to elaborate on written documents previously submitted to the board in their oral presentations to the board.

e) Parties planning to bring exhibits to a hearing must generally provide copies of those exhibits to the other parties and the members of the board ~~three (3~~five (5) instructional days prior to the hearing to allow for a review of exhibits and the development of any pertinent questions. The Board Chair may permit deviations to this time restriction so long as the other party has sufficient time to prepare an adequate response.

f) The Board Chair shall have the right to exclude from the hearing and the record any unreliable, biased or redundant evidence.

g) On questions requiring academic expertise, the Board shall rely heavily on the testimony of other members of the department involved, or throughout the NDSU academic community.

h) In reaching a decision the board shall consider only information produced at the hearing and will evaluate the information using the "more likely than not" standard of proof. The burden of proof shall be on the student to establish that his/her grade should be changed~~.~~, or on the instructor that the original grade should be retained.

i) All hearings of the board will be recorded up to the point of the board's deliberations necessary to render a decision. A copy of the recording shall be retained in the Office of the Provost ~~and Vice President of Academic Affairs~~ for a period not less than three (3) years. The board will allow controlled access to the record for review or transcription by either the student or the instructor.

3. Hearing outline.

a) The Board Chair will call the meeting to order and will introduce the members of the board and their function within the University community.

b) The Board Chair will describe the general outline of the hearing and read the evidentiary rules to the board. The Board Chair will read the following honesty statement.

"The University expects that all information presented in this hearing will be true and correct to the best of each person's knowledge. If a student willfully provides false information, he/she will be in violation of NDSU's Code of Student Behavior. As a result, he/she may be subject to disciplinary action. Dishonest behavior by any faculty or staff member will be reported to that person's supervisor for any necessary disciplinary action."
All potential witnesses will be advised of this honesty statement in advance.
c) The Board Chair will excuse witnesses from the room at this point.

d) The Board Chair will introduce the student/instructor who will present the appeal and any evidence.

e) The Board Chair will introduce the instructor/student who will respond to the student's/instructor's appeal and present any additional evidence.

f) The student or the instructor will be allowed to present witnesses, who will be allowed to make statements and may be asked questions by the student, instructor, and/or members of the Board. Questions by both parties must be directed to the Board Chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

g) The instructor or the student will be allowed to present witnesses, who will be allowed to make a statement and may be asked questions by the student, instructor and/or members of the Board. Questions by both parties must be directed to the Board Chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the

question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

h) The board may compel the attendance of any essential witnesses from the NDSU academic community to present testimony. Such witnesses will be allowed to make a statement and may be asked questions by the student, instructor, and/or members of the board. Questions by both parties may be directed to the Board Chair, who will then determine whether the question is relevant to the proceeding, ask whether the respondent understands the question, and request a response. At the Board Chair's discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.

i) Final questions will be permitted by the members of the board, who may question either party and/or their witnesses.

j) The student shall have an opportunity to make a closing statement.

k) The instructor shall have an opportunity to make a closing statement.

l) Both parties and their witnesses will be dismissed for deliberations by the Board and recording will stop at this point. Only board members, the Board Chair, and the Board's counsel/advisor (if designated) may be present during deliberation.

m) The voting members of the Board will determine, by two-thirds majority vote, if the student's/instructor's appeal should be granted. If the student's/instructor's appeal is granted, ~~t~~he Board Chair shall propose upholding the instructor's original grade, in case of instructor's appeal, ~~-~~or a revised grade~~.~~ in case of student appeal. A second vote shall then be held to determine by ~~simple majority~~two-thirds majority vote whether the ~~original or~~ original, proposed, or alternate grade be accepted by the Board. The grade determination process shall be repeated until the board either approves a grade by a ~~simple~~ two-thirds majority in case of student appeal, or sustains the original grade in case of instructor's appeal. All votes shall be conducted by secret ballot.

n) The Board Chair will send a written notice of the board's findings to the student, instructor, department head, and dean within ten (10) instructional days of the hearing. If the board votes to change the student's grade, notice shall also be sent to the University Registrar regarding the grade change. If the original grade is retained, the relevant parties, including the Registrar, will be notified. The written notice shall include an explanation of the board's rationale in making its decision and a signed copy of the Grade Appeal Form attesting to the board's decision.

4. The Board may not release any information about its investigation to anyone but the parties directly involved. All Grade Appeals information is confidential and may not be disclosed in whole or in part except as provided under the Family Education Rights and Privacy Act (FERPA) or other applicable law or policy.

APPEAL

Either the student or the instructor may request within fifteen (15) instructional days of a hearing panel decision, that the full Board hear an appeal from the decision, citing the material error(s) of process or procedure that could have affected the outcome by the hearing panel that would justify a new hearing. Appeals of outcome are not permitted. The Board shall meet to consider such a request, but no voting member of the hearing panel shall be eligible to vote on granting a new hearing. Instead, alternate members shall replace those Board members who served on the hearing panel. If a majority of the full Board votes to accept the appeal, it shall proceed to hold a hearing in accordance with the hearing procedures above, again using alternate members in place of those who served on the hearing panel. The Board Chair shall serve as a non-voting moderator at the appeal hearing, and a two-thirds vote by secret ballot of the full Board shall be required to uphold the student's appeal and approve a change in grade~~.~~ or to uphold the instructor's appeal and approve a grade change to what was originally posted. A separate simple majority vote shall determine what the student's new grade shall be.
The decision of the Board is final.

HISTORY: New May 15, 1972
Amended May 1986
Amended April 1992
Amended April 2000
Amended April 2001
Amended March 2002
Amended December 2006
Amended October 2007
Amended February 2008
Amended June 2009
Housekeeping August2009
Housekeeping February 14, 2011
Housekeeping May 31, 2011
Amended November 07, 2011

Policy Change Cover Sheet

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SECTION: 350.4 BOARD REGULATIONS ON HEARINGS AND APPEALS

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change:
   - to remove superfluous text (e.g. 350.4 section 1, 6, and 8);
   - to address role of the hearing officer in deliberations (350.4 section 9); current policy does not address
   - to revise reporting procedure of the SCoFR's written report (350.4 section 11); Appropriate to have SCoFR forward its report to faculty member's chair/head and request reconsideration if the Committee concluded the chair/head did not give the issue adequate consideration. Consistent with AAUP Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments.
   - Amended on 4/13/15: 1) Inserted the word "only" in the final sentence of the paragraph after the word "matters" in section 9; 2) changed the number of calendar days from 20 to 21 in section 1.
   - Version 3 submitted 12/8/15 based on SCOFR revisions: 1) changed "the" back to "its"; 6) rejected deletion of reference to N.D.C.C. Section 15-10-17; 8) replaced section 350.3 with NDSU Policy 350.3; 9) removed last sentence; 11) rejected some of the prior deletions and additions in the first half of the section; added reference to Committee's recommendations and removed inclusion of the Provost and the dean/chair; reduced timeframe to submit a written response to 14 calendar days
2. This policy change was originated by (individual, office or committee/organization):
   - Robert K. Sylvester, PharmD, Chair Standing Committee on Faculty Rights (Virginia Sublet/Dennis Cooley)
   - ~~Robert.Sylvester@ndsu.edu~~ virginia.sublett@ndsu.edu, dennis.cooley@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 350.4
BOARD REGULATIONS ON HEARINGS AND APPEALS

SOURCE: SBHE Policy Manual, Section 605.1, 605.2, 605.3, 605.4

1. A faculty member may request a hearing with the Standing Committee on Faculty Rights by filing a written notice, accompanied by a specification of the reasons or the grounds upon which the appeal is based, with the Committee chair or senior member of the Committee and the ~~institution's~~ president. The institution shall have twenty-one calendar ~~en business~~ days from receipt by ~~the its~~its president of the notice and specifications to file a response with the Committee Chair or senior member of the Committee and the faculty member.

2. The Committee shall appoint, at the expense of the institution according to institution procedures, a hearing officer with authority to conduct pre-hearing meetings, supervise exchange or collection of information, advise the Committee ~~or~~ and preside over the hearing. The faculty member, the institution and their representatives shall comply with all reasonable directives and requests of the hearing officer appointed by the Committee. The institution shall provide necessary clerical support for the Committee, and upon request, for the hearing officer.

3. The Committee or the hearing officer shall hold a pre-hearing meeting or meetings in order to (a) simplify the issues, (b) effect stipulations of facts, (c) provide for the exchange of documentary or other information, or (d) achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious. The faculty member, the institution and their representatives shall participate in pre-hearing meetings upon request and comply with the directives of the Committee or the hearing officer. *("Discovery" is defined as the exchange or collection of information.)* Discovery shall be informal and formal depositions or interrogatories for the purposes of discovery are not permitted, except with agreement of the parties.

4. The Committee or the hearing officer shall serve written notice of hearing on the faculty member and the president or their representatives at least twenty-one calendar days prior to the hearing.

5. The faculty member and the institution may stipulate to a decision on the basis of the written statements, in which case the Committee shall make its decision on that basis.

6. During the proceedings the institution and the faculty member are entitled to have an administrative or academic advisor and counsel of their choice and at their own expense. Proceedings concerning the appointment or removal of a faculty member may, pursuant to N.D.C.C. Section 15-10-17, be closed, unless the faculty member requests that the proceedings be open, in which case the proceedings shall be open. Proceedings not concerning the appointment or removal of a faculty member, including proceedings concerning discipline not involving dismissal, shall be open.

7. A verbatim transcript of the hearing or hearings shall be made at the institution's expense and shall be accessible to both parties. A party shall be provided a copy of the record, or part of the record, upon request, at the institution's expense.

8. The findings of fact, conclusions and the decision shall be based solely on the evidence received by the Committee. In cases brought under NDSU Policy 350.3(4)~~section 605.3(4)~~, the faculty member has the burden of persuasion to prove, by a preponderance of the evidence, that the action violated the faculty member's rights; in cases appealed pursuant to NDSU Policy 350.3~~section 605.3~~(8) or (9), the burden of proof that grounds for the institution's action exist shall rest with the institution and be satisfied only by clear and convincing evidence in the record considered as a whole.

9. The Committee may admit any evidence which is of probative value in determining the issues or if the interests of justice will best be served by admitting the evidence. Every reasonable effort shall be made to obtain the most reliable evidence available. The Committee shall grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made. ~~Deliberations by the Committee will be conducted without the hearing officer, although the hearing officer may be consulted by the Committee on procedural mattersonly.~~

10. The faculty member shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The institution shall cooperate with the Committee in securing witnesses and making available documentary and other evidence. The faculty member and the institution shall have the right to confront and cross-examine all witnesses. Testimony may be taken by deposition, including deposition by telephone, or witnesses may testify by telephone, facsimile, video or other electronic means, upon agreement of the parties or, absent an agreement, upon request of a party and determination by the Committee or hearing officer that such use does not substantially prejudice the rights of any party. Affidavits may be received into evidence upon stipulation of the parties.

11. The Committee~~'s~~ ~~shall~~will generate a written report with its findings of fact, conclusions and recommendations~~, (collectively the "Committee's Decision"). The Committee's Decision shall be forwarded to the faculty member and the chair/head of the faculty member's department~~ which, with supporting reasons, shall be reported to the institution's president and the faculty member or the faculty member's representative. ~~Within twenty-one calendar days after receipt of the Committee's Decision, the chair/head of the faculty member's department shall submit to the president a copy of the Committee's Decision along with her/his written position either consenting to the Committee's Decision or disputing the committee's Decision. In drafting her/his response, the chair/head will consult with the department as she/he determines appropriate. After receipt of this material,with supporting reasons, shall be reported, in writing, to the institution's president and the faculty member or the faculty member's representative.~~ If the institution's action was a notice of dismissal and if the Committee concludes that adequate cause for dismissal has been established, but that a lesser penalty would be more appropriate, it may so recommend with supporting reasons. The president shall make a decision and provide written notice of the decision, including findings of fact and reasons or conclusions based on the hearing record and the Committee's recommendations, to the Committee~~,~~ and the faculty member~~, the Provost, the appropriate dean and chair/head~~ within twenty-one calendar days of receiving the report. The faculty member or Committee may, within ~~ten~~ fourteen calendar days of the decision, submit a written response to the decision, to which the president may reply.

12. The decision of the president is final.

HISTORY:
Replaces portions of Policy 605, SBHE Minutes April 25,1995, pg 6554.
Amended April 25, 1995
Amended March 1998
Amended February 2001

Amended August 2003
Amended December 2005

Policy *713* Version 1 Nov*. 27, 2015*

Policy Change Cover Sheet

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

SECTION: Policy 713 Records Management

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? X Yes ☐ No
   - Describe change:
     Updated policy to reflect the task force is permanent by changing the name to Records Management Advisory Committee; Updated the membership of the committee, Added other language as needed.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted
     Vice President for Information Technology and the NDSU Libraries
   - Email address of the person who should be contacted with revisions
     Theresa Semmens, Theresa.Semmens@NDSU.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 713
RECORDS MANAGEMENT

SOURCE: **NDSU President**

I. POLICY and PURPOSE

A. The policy and purpose for Records Management is to

1. Comply with all applicable state, and federal laws and regulations, specifically North Dakota Century Code 54-46, and the North Dakota State University Records Retention Schedule found on the NDSU Records Management Web site.
2. Establish an efficient University-wide records management system for maintaining, identifying, retrieving, preserving and destroying records through the use of best practices and standards and according to North Dakota Century Code and all applicable federal laws.
3. Ensure that records are adequately protected and/or preserved.
4. Ensure that all records that are no longer needed or of no value are destroyed at the appropriate time.
5. Preserve University history.
6. Limit liability to the University.

II. SCOPE

This policy applies to all records, including all University information and University resources, regardless of format, whether in paper, electronic, ~~microfilm,~~ (e.g., microfilm, microfiche, magnetic tapes, USB flash drive, CD/DVD ROM), electronic mail, or other electronic ~~medium.~~

~~1.~~ ~~The~~medium. The North Dakota Century Code (NDCC 54-46-02) defines a record as a "document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business." ~~For records description and series, see the Records Retention Schedule.~~A "State Record" is further defined as "a record of a department, office, commission, board, or other agency, however designated, of the state government.

III. OBJECTIVE

The objective of the Records Management policy is to assist and provide guidance to the University entities in managing records throughout the lifecycle of the record, i.e., from creation or receipt, during use, and the maintenance stage, and final disposition. Various rRecords produced in the course of University business must adhere to federal and state laws/regulations including access, storage, retention and disposal.

IV. APPLICABILITY

This policy applies to anyone who creates, disseminates, stores, manages, destroys and/or has access to NDSU records of any type, classification or description. This includes all NDSU employees and students who have access to records and any external entities, such as vendors whose purpose may be to provide storage space or destruction services for records.

V. RELATED POLICIES AND APPLICABLE STATE LAW

Standards, guidelines and procedures will follow and adhere to all policies and laws listed but not necessarily limited to:

1. North Dakota Century Code 54-46;
2. NDUS Policy 1901.2.1, Data Classification Standard;
3. NDUS Policy 1912, Public Records and related procedures 1912.1, Information Security Procedures;
4. NDUS 1912.2, Student Records – Directory Information
5. NDUS 1912.3, Employee Personal Information;
6. NDSU Policy 713.1, Litigation Hold; and
7. NDSU Policy 718, Public/Open Records.

- North Dakota Century Code 54-46;
- NDUS Policy 1912 Public Records and related procedures:
  - 1912.1, Information Security Procedures;
  - NDUS 1912.2, Student Records – Directory Information; and
  - NDUS 1912.3, Employee Personal Information;
- NDSU Policy 713.1 Litigation Hold; and
- NDSU Policy 718, Public/Open Records.

VI. RECORDS MANAGEMENT PROGRAM OVERSIGHT

A. The Records Management Task Force Advisory Committee will be responsible for Records Management policy, standards, guidelines, processes and procedures. The task force advisory committee is comprised of:

1. The NDSU Chief Information Security Officer who serves as the Director of Records Management (co-chair):
2. Associate Director for the NDSU Library (co-chair);
3. One A faculty member appointed by the Faculty Senate Executive Committee;

- o4. Two unit records coordinators appointed by the Staff Senate Executive Committee;
- o5. The University provost and the vice presidents or their designees;
- 6. An archivist from the University Archives;
- o7. An attorney appointed to NDSU or a designee; and
- o Assistant Attorney General assigned to the University or designee
- o The NDSU Chief Information Technology Security Officer who serves as the Director of Records Management (co chair)
- o8. One A Student Government member appointed by the Student Government President.
- o Associate Director for the NDSU Library (co chair)
- o9. If any task force Advisory Committee member is unable to attend a scheduled meeting, a proxy may be sent in their place.
- o10. Policy amendments/changes and standards and guidelines to be reviewed and approved by the Assistant Attorney General prior to submission for publishing

B. The NDSU Director of Records Management reports to the Vice President for Information Technology. The role of Director of Records Management will include:

- o Reports to the Vice President for Information Technology.
- o The role of Director of Records Management will include

  - 1. Coordinating retention, preservation and destruction processesdestruction processes and procedures for University records in accordance with this Policy and University Records Management procedures and practices;
  - 2. Assisting the Assistant Attorney General with coordinating efforts to comply and respond to any issued Litigation Hold Notices and public records requests in a timely manner;
  - 3. Ensuring that all Unit Records Coordinators (URCs) appointed by University units receive ongoing training and education;
  - 4. Collecting and compiling annual disposal records as submitted by the URCs and reporting those metrics/statistics to the State's Records Management office;
  - 5. Investigating and reporting on any potential non-compliance to the Unit Administrator and Assistant Attorney Generalthe Vice President for Information Technology if applicable,.and where appropriate and needed, Recommend recommend and require remediation to ensure compliance;
  - 6. Maintaining an up-to-date list of Unit Records CoordinatorsURCs and their contact information;
  - 7. Sharing information as needed and relevant to the Records Management Task Force, and the URCs, and;
  - 8. Providing current and updated information on the records management Web site.;

~~www.ndsu.edu/recordsmanagement/~~www.ndsu.edu/recordsmanagement/.

C. The NDSU Records Management Coordinator ~~is~~:

1. Is a~~A~~ppointed by the Vice President for Information Technology;
2. Assists the Director of Records Management and Records Management Advisory Committee as needed;~~:~~
3. Serves as the liaison between the URCs and the Director of Records Management.

~~o Works with the Director of Records Management~~
~~o Assists the Task Force and the Director of Records Management as needed.~~

D. NDSU Unit Records Coordinators are appointed by their respective department heads and their role includes:

~~o Appointed by their respective department heads.~~
~~o Their role will include~~

- Providing assistance to faculty, staff and administrators in their units for retention, preservation and destruction of their unit's records in accordance with this Policy's procedures and practices, institutional requirements, and state and federal laws.
- Serve as the liaison between their unit and the Director of Records Management and the Records Management Task Force
- Completing continuing education and training on annual basis
- Submitting records disposal forms to the Director of Records Management as required by policy and state law

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HISTORY:

New August 20, 1996
Amended January 22, 2002
Amended June 11, 2007
Amended August 1, 2007
Amended September 2007
Amended November 2008
Amended April 2009
Housekeeping September 2010

Housekeeping February 14, 2011
Amended June 11, 2015
Housekeeping October 2, 2015

Policy Change Cover Sheet

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SECTION: Policy Number and Name: 713.1 Litigation Holds

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? X Yes ☐ No
   - Describe change: Policy has been updated and rewritten to separate policy from procedures and to accurately reflect current changes in NDSU governance and policy regarding litigation hold.

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted Information Security/Records Management, Theresa Semmens, CISO & Director, Records Management
   - Email address of the person who should be contacted with revisions: Theresa.Semmens@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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SECTION 713.1
LITIGATION HOLD

SOURCE: NDSU President
ND Office of Risk Management

~~A "litigation hold" is the process in which documents, electronic information and other such materials are preserved pending a reasonably foreseeable litigation. A litigation hold is also known as a "preservation order," where an organization's document destruction process is suspended to preserve required documents for a pending litigation.~~

~~Potential threats of litigation can be a receipt of a summons or complaint; the filing of an Equal Employment Opportunity Commission (EEOC) charge; formal notice of investigation, the receipt of a subpoena; or even a verbal communication of the intent to sue. Once an employee receives any of the above, they should immediately inform their supervisor and the Attorney assigned to NDSU. The Attorney assigned to NDSU will then determine if the situation warrants a litigation hold for documents, and if so, implement procedures for a pre litigation hold notice. A pre litigation hold notice is one where no lawsuit has actually been filed yet, however, the university is preserving documentation in case litigation procedures are started. If litigation has been filed, the Attorney assigned to NDSU will send out a post-filing of litigation notice. Once a litigation hold notice has been issued, no documents pertaining to the litigation shall be destroyed until the litigation hold notice has been released by the Attorney assigned to NDSU.~~

~~Documents pertaining to a litigation hold include, but are not limited to:~~

- ~~Paper originals, drafts, and copies.~~
- ~~Word processing documents.~~
- ~~E-mail and e-mail attachments.~~
- ~~Calendars and planners.~~
- ~~Spreadsheets and databases.~~
- ~~Instant messages.~~
- ~~Network logs.~~
- ~~PowerPoint presentations.~~
- ~~Manuals, publications, bulletins, and pamphlets.~~
- ~~Graphic files.~~
- ~~Voicemail (if a message manager program is available to save voicemails).~~
- ~~Information on the website.~~
- ~~Text messages.~~

~~A notice of litigation hold should:~~

- ~~Identify the person(s) who are likely to have relevant information, and communicate a preservation notice to those persons;~~
- ~~Communicate the preservation notice in a manner that is comprehensible and timely;~~
- ~~Be in written form;~~
- ~~Clearly define what information is to be preserved and how the preservation should be undertaken; and~~

- ~~Be periodically reviewed and, if necessary, reissued in either its original or an amended form.~~

~~Once the litigation hold notice has been implemented, the university employees who have received the notice should then immediately suspend any and all deletion or destruction of electronic or paper documents relevant to the litigation; preserve any new documentation that pertains to the litigation; and preserve existing documentation. If a university employee separates his or her employment from the university during a litigation hold process, the supervisor should then take possession of and retain such records and documents, and notify the Attorney assigned to NDSU of the change in custody.~~

~~Only when the threat of litigation is over will the Attorney assigned to NDSU issue a release of litigation hold on the relevant documents. Such documents are not to be deleted or destroyed until such release is given by the Attorney assigned to NDSU, and at that time any document destruction will be in compliance with NDSU's records management policy.~~

~~To assist in understanding the legal hold process, refer to the following documents:~~
~~Anticipation of Litigation and Legal Holds~~
~~Litigation Hold Procedures~~
~~Litigation Holds and Preservation of Evidence~~
~~Litigation Hold Checklist~~
~~Destruction Hold Notice~~
~~NDSU 713: Records Management~~

Documents and information related to pending or reasonably foreseeable litigation may not be deleted or destroyed. Once a litigation hold is in place, the documents and information must be kept until the litigation hold has been removed; upon removal, the retention and destruction of documents and information will be in compliance with NDSU Policy 713, Records Management.

I. Definitions

Litigation Hold	A written directive to preserve documents and information for pending or reasonably foreseeable litigation. Litigation is reasonably foreseeable upon receipt of a summons or complaint, the filing of an Equal Employment Opportunity Commission (EEOC) charge, the filing of a complaint with the North Dakota Department of Labor, formal notice of investigation, receipt of a subpoena, receipt of a Notice of Claim filed with the North Dakota Office of Management and Budget, verbal communication of the intent to sue, or any other communication which would lead a reasonable person to believe that litigation was a credible probability.
Public Employee N.D.C.C. 44-04-17.1 Employee N.D.C.C. 54-06-01	Includes any individual who has applied for employment, is employed, or has been employed by a public entity. Includes all persons whose office or employment is held by virtue of any appointment or employment however made, other than an election by the voters of the state, whether or not such office or employment is created by an act of the legislative assembly.

II. Imposition of Sanctions

Failure to follow and comply with this policy is subject to sanctions that can include, but is not limited to, a formal notice placed in the employee's personnel file up to termination of employment.

III. Section 713.1 LITIGATION HOLD PROCEDURE

A. When an employee is made aware of a threat of litigation or when an employee believes that litigation is reasonably foreseeable, the employee will immediately inform his/her supervisor who will contact the director of records management. The Director of Records Management will contact the attorney assigned to NDSU. The attorney assigned to NDSU will determine if the situation warrants a Litigation Hold.

B. If litigation has been commenced, the attorney assigned to NDSU will issue a Litigation Hold. Once a Litigation Hold has been issued, documents and information pertaining to the litigation or potential litigation shall not be deleted or destroyed.

C. A Litigation Hold will:

1. Identify the employees who are likely to have documents and information relevant to the litigation or potential litigation;
2. Be communicated in writing to the identified employees in a comprehensible and timely manner;
3. Clearly define what information is to be preserved and how the preservation will be undertaken; and
4. Be reviewed periodically and, if necessary, be reissued or amended.

D. Employees who receive a Litigation Hold will:

1. Immediately suspend the deletion or destruction of documents and information relevant to the litigation, including any automated processes that may affect the deletion or destruction of documents and information;

2. Preserve existing records relevant to the litigation or potential litigation;

3. Preserve new records that pertain to the litigation or potential litigation; and

4. Provide any additional assistance that may be required to preserve the relevant documents and information.

E. If an employee subject to a Litigation Hold separates employment from NDSU, the employee's supervisor will take possession of and retain the documents and information subject to the Litigation Hold and notify the Director of Records Management of the change in custody of the documents and information.

F. When the litigation has ended or is no longer foreseeable, the attorney assigned to NDSU will remove the Litigation Hold. Upon removal of the Litigation Hold, the retention and destruction of documents and information will be in compliance with NDSU Policy 713: Records Management.

G. Records subject to a Litigation Hold include, but are not limited to:
   Paper originals, drafts and copies
   Electronic records

Email and email attachments
Calendars and planners
Instant messages
Network, computer and application logs
Slide presentations
Manuals, publications, bulletins and pamphlets
Graphic files and electronic images
Voicemail
Website information, pages, etc.
Text messages
Video files
Audio files

HISTORY:

New	January 27, 2011
Housekeeping	August 31, 2015

Policy Change Cover Sheet

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SECTION: Section 352 3.5 – Promotion, Tenure and Evaluation: Faculty Hired with Previous Relevant Experience

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ✓No
   - Describe change: Process for hiring into tenure line position at a negotiable faculty rank with tenure is clarified; process for awarding tenure credit to probationary faculty hires is clarified; operationalization of tenure credit in evaluation process is clarified.
   - Version 2 contains Matt Hammer's recommended changes to Section 3.5 (in blue)

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted: ad hoc Committee of the Faculty Senate for Review of Policy 352 – V1 submitted 9-22-2015 by Karen Froelich; V2 submitted 12/22/15 by Alan Denton
   - Email address of the person who should be contacted with revisions: alan.denton@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

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North Dakota State University
Policy Manual

SECTION 352
PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.

1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University, college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.

1.3 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

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

2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience.

2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off- campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

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

2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;

2.2.1.1.2 the continuous improvement of courses or instructional programs;

2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.

2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:

2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;

2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;

2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;

2.2.1.2.4 the dissemination of best practices in teaching;

2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

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

2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.

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

2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;

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

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

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

2.2.2.2.5 the receipt of awards or special recognition for research ;

2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

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

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

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

2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:

2.2.3.2.1 the receipt of awards or special recognition for service;

2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;

2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

2.2.3.2.4. active participation and leadership in University governance and programs at the department, college, university and system levels;

2.2.3.2.5. effective management or improvement of administrative procedures or programs.

2.2.3.2.6 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;

2.2.3.2.7 contributions to the operation of state or federal agencies.

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

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

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

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

3.3. For probationary faculty, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit which were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured candidates for promotion to professor shall be evaluated by the criteria in effect at the time of application.

3.4. Faculty Hired Without Previous, Relevant Experience

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

3.5 Faculty Hired with Previous Relevant Experience

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

3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original ~~hiring~~ contract. The Department PTE Committee recommends to the Department Chair/Head the maximum (from one to three) years of tenure credit offered. ~~Tenure recommendations and recommendations for appointment at the rank of Associate Professor or Professor for new hires (administrators or faculty with prior experience) are made by the respective Department and the College PTE Committee. The process of review is initiated by the Chair/Head.~~

There are two options:

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

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

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

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

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

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

3.6.2 Extension of Probationary Period for Personal Illness or Disability

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

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

notification of the request, along with supporting documentation, for an extension must be provided to the Provost.

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

3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.

3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form.

3.6.4.6 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

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

3.6.6 Granting of an extension does not increase expectations for performance. For instance if the department requires at least five refereed journal articles in the standard six year probationary period, and a faculty member receives an extension of

the probationary period, then the department will still only require at least five refereed journal articles for that faculty member's probationary period.

Related Policies and Procedures:

Policy 156. Equal Opportunity Grievance Procedures (http://www.ndsu.edu/fileadmin/policy/156.pdf)

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

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

NDSU HIPAA Security Procedures- see http://www.ndsu.edu/general_counsel/hipaa/

Authorization for Release of Information: http://www.ndsu.edu/fileadmin/generalcounsel/Forms-HIPAA/Authorization_for_Release_of_Information_01.doc

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

4. PERIODIC REVIEW

4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.

4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.

4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.

4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.

4.5 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review

period. For probationary faculty, the report shall include an assessment of the faculty member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.

4.6 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.

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

5. COMPOSITION OF PTE COMMITTEES

5.1. Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.

5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Faculty members being considered for promotion may not serve while under consideration.

5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding administrative appointments, including those with interim status, are not eligible to serve. ("Administrative appointment" includes appointments as President, Vice President, Associate or Assistant Vice President, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, or Director of an academic unit.)

6. PTE PROCEDURES

6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee no later than November 1.

6.2 After November 1, the information that may be added to the portfolio is limited to

a) Recommendations by the evaluating units considering the portfolio at that time;
b) the candidate's response to those recommendations;
c) any materials requested by the evaluators.

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

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

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

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

6.5 Allegations of misconduct discovered after November 1 that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.

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

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

6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.

6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.

6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College

Dean, and the Department and College PTE Committees.

6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.

6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.

6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.

7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

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

HISTORY:

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

NDGEC's proposed change to 403.7

Current Policy

SUBJECT: 400s: Academic Affairs EFFECTIVE: November 19, 2009

Section: 403.7 Common General Education Requirement and Transfer of General Education Credits

1. The following common general education requirement applies to all Associate of Arts, Associate of Science and
Bachelor's degrees, except the BAS degree at
University System institutions:

General Education Area
Minimum Required
Lower
Division Semester
Hours

Communications 9
Arts & Humanities 6
Social Sciences 6
Mathematics, Science & Technology 9
Institutional Specific (must be chosen from one of the following four categories:
communication, social sciences, arts and humanities, and/or mathematics/science & technology) 6
Total 36

2. Within the stipulated general education areas, each institution shall indicate in its catalog and other student advisement materials the institution's courses approved for general education. University System institutions may establish program and institution specific general education requirements in addition to the requirement stated in subsection 1.

3. General education courses accepted by any University System institution count upon transfer toward the general
education requirement at all institutions in one of the following ways:

A. A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work meets the general education requirement of the institution from which the student transfers and satisfies the common general education requirement stated in subsection 1. Students completing Associate in Science and Associate in Arts degrees at system campuses meet the lower division general education requirements identified in subsection 1.

B. Receiving institutions may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions, based on the requirements listed above in subsection 1.

C. In all other cases, general education courses from the areas in subsection 1 apply to the appropriate general education requirement of the institution to which the courses are transferred and the number of credits required to complete the general education requirement in each area is determined by the policies of the institution to which the courses are transferred; or

D. Pursuant to guidelines established by the Chancellor for the acceptance of Advanced Placement (AP), College Level Examination Program (CLEP), International Baccalaureate (IB) and DANTES Subject Standardized Tests (DSST) scores for academic credit.

4. Articulation agreements between the North Dakota University System and other institutions may enable the transfer of general education credits as a completed unit pursuant to guidelines established by the Chancellor.

Reference: NDUS Procedure - 403.7.2 403.7.3

NDGEC's Proposed Policy Revision
SBHE Policies
SUBJECT: 400s: Academic Affairs **EFFECTIVE:** November 19, 2009
Section: 403.7 Common General Education Requirement and Transfer of General Education Credits
1. The following common general education requirement applies to all Associate of Arts, Associate of Science and Bachelor's degrees, except the BAS degree at
University System institutions:

General Education Area	**Minimum Required Lower Division Semester Hours**
Communications	9
Arts & Humanities	6
Social Sciences	6
Mathematics, Science & Technology	9
Institutional Specific (must be chosen from one of the following four categories: communication, social sciences, arts and humanities, and/or mathematics/science & technology)	6
Total	36

2. Within the stipulated general education areas, each institution shall indicate in its catalog and other student advisement materials the institution's courses approved for general education. University System institutions may establish program and institution specific general education requirements in addition to the requirement stated in subsection 1.
3. General education courses accepted by any University System institution count upon transfer toward the general education requirement at all institutions in one of the following ways:
A. A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work meets the general education requirement of the institution from which the student transfers and satisfies the common general education requirement stated in subsection 1. Students completing Associate in Science and
Attachment 6
Associate in Arts degrees at system campuses meet the lower division general education requirements identified in subsection 1.
B. Receiving institutions may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions, based on the requirements listed above in subsection 1.
C. In all other cases, general education courses from the areas in subsection 1 apply to the appropriate general education requirement of the institution to which the courses are transferred and the number of credits required to complete the general education requirement in each area is determined by the policies of the institution to which the courses are transferred; or

D. Pursuant to guidelines established by the Chancellor for the acceptance of Advanced Placement (AP), College Level Examination Program (CLEP), International Baccalaureate (IB) and DANTES Subject Standardized Tests (DSST) scores for academic credit.
E.
4. Articulation agreements between the North Dakota University System and other institutions may enable the transfer of general education credits as a completed unit pursuant to guidelines established by the Chancellor.
5. Upon review and recommendation for approval by the North Dakota General Education Council and the Academic Affairs Council and with the approval of the NDUS Chancellor, an NDUS institution may offer an alternative general education program, providing it includes all of the LEAP Essential Learning Outcomes approved by the North Dakota General Education Council and it totals at least 36 semester credits.
A. Any credits earned for general education at a University System institution or any participating GERTA institution under an approved alternative general education program will be accepted for general education credit by all University System institutions or all participating GERTA institutions.
B. A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work satisfies an alternative general education program approved under subsection 5. Students completing Associate in Science and Associate in Arts degrees at system campuses meet the lower division alternative general education program approved under subsection 5.
C. Alternative general education programs approved under section 5 may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions.
D. General education courses from an alternative general education program, approved under subsection 5, apply to the appropriate general education requirement of the institution to which the courses are transferred. Credit required for completing any alternative education program should be consistent with each General Education Area specified in subsection 1 or each of the LEAP Essential Learning Outcomes approved by the North Dakota General Education Council, either by including credits from courses in each area of subsection 1 or by aligning outcomes achieved to each General Education Area
E. Alternate general education programs are permitted to accept scores for academic credit as outlined in the Chancellor's guidelines for acceptance of Advanced Placement (AP), College Level Examination Program (CLEP), International Baccalaureate (IB) and DANTES Subject Standardized Tests (DSST) scores for academic credit.
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Reference: NDUS Procedure - 403.7.2 403.7.3

History:

New policy. SBHE Minutes, June 19, 1998, page 6903.
Amendment SBHE Minutes, May 30, 2001.
Amendment SBHE Minutes, February 21-22, 2002.
Amendment SBHE Minutes, September 18, 2008.
Amendment SBHE Minutes, December 18, 2008.
Amendment SBHE Minutes, November 19, 2009.

FAQs Regarding Proposed Revisions to SBHE Policy 403.7: Common General Education Requirement and Transfer of General Education Credits (GERTA)

Recommendations by the ND General Education Council, approved unanimously by that group.

1. What is the ND General Education Council (NDGEC)?

The NDGEC is a grass-roots advisory group with representatives from all NDUS institutions, as well as the private and tribal colleges, who meet to share best practices and discuss ways to support general education in the state. Members are faculty, staff, and administrators. The group's constitution can be found here: http://www.ndus.edu/uploads/resources/2515/constitution-of-the-nd-general-education-council.pdf

2. **What is the goal of this proposed revision?**

The goal is to allow a pilot program in which an NDUS institution can develop an approved alternative general education program "providing it includes all of the LEAP Essential Learning Outcomes approved by the North Dakota General Education Council [written communication, oral communication, quantitative literacy, critical & creative thinking, and breadth of knowledge] and it totals at least 36 semester credits."

a) The revision allows the general education of an NDUS campus to focus on what students actually learned, not just on what courses they took.

b) Our regional accreditor (the Higher Learning Commission) and our various specialized accreditors (ABET, AACSB, NCATE, etc.) similarly ask us to provide evidence of what our student learn, not just the courses they take.

3. Why is this revision needed?

a) The present General Education Areas in SBHE 403.7 restrict innovation, allow limited institutional autonomy, and focus on traditional disciplinary categories rather than broader learning outcomes such as critical thinking, integrated learning, etc.

b) The revision allows for much greater flexibility so that a campus could create a general education program that is most suited to its particular mission.

4. What is unchanged?

a) The seamless transfer among NDUS institutions is still guaranteed.

b) No NDUS institution will be required to revise its general education.

5. **What is procedure for an action like this? How does a proposal from the NDGEC move forward?**

SBHE policy changes are subject to review and recommendation by the Academic Affairs Council, the Chancellor's Cabinet, and the Chancellor. The SBHE approves revisions to SBHE Policy.

6. What is the NDSU Faculty Senate being asked to do?

Because of its commitment to transparency and open communication, the NDGEC informed the Council of College Faculties (CCF) about this proposal. CCF is asking all of the Senates to weigh in on whether they think it's a good idea to support NDGEC's recommendation for a more flexible state policy regarding general education that allows campuses to orient their general education toward national outcomes, yet still retains the transfer agreement. The response of each faculty senate and CCF is important, but the next step is in the hands of the Academic Affairs Council.

7. Can the NDSU Faculty Senate suggest revisions?

Certainly. As noted in 5, there will are multiple points at which any proposed policy can be revised.

Revised on 12.07.2015

NDSU Faculty Senate

3:30 pm, 22 February 2016

Prairie Rose, Memorial Union

Agenda

I. Call to Order

II. Attendance

III. Approval of 25 January 2016 minutes

IV. Consent agenda
   a. Academic Affairs Committee Report (attachment 1)
   b. Policy changes (attachment 2) (All housekeeping changes/information only)
      - 112 – Pre-Employment and Current Employee Criminal Record Disclosure
      - 151 – Code of Conduct
      - 327 – Evaluation of Deans, et al.
      - 712 – Contract Review

V. Announcements
   a. Dean Bresciani, President
   b. Beth Ingram, Provost
   c. Dennis Cooley, Faculty Senate President
   d. Katie Gordon, Faculty Senate President-Elect

VI. Senate Committee Reports
   a. Faculty Senate Bylaws Committee (attachment 3)

VII. Unfinished Business

VIII. New Business
   a. Policy 352 – Composition of PTE (attachment 4) – Alan Denton – for input and vote
   b. Policy 325 – Academic Freedom (attachment 5) – discussion
   c. Marc Wallman - ITS
   d. IQAOC – Dogan Comez (attachment 6) – merging Academic Affairs and General Education committees
   e. Potential web-based assessment program -Josh Fergel**,** Student Body Vice President, Student Government.
   f. Creating a positive veteran community and increase awareness of the opportunities available to student veterans. - Nikki Borstad, Amie Northagen, Annie Ehresmann, and Tayler Marshall.

IX. Adjourn

Academic Affairs Committee Report
For Faculty Senate Meeting on February 22, 2016

Program Changes
Bachelor of Science – Accounting: moving ACCT 311 within the curriculum as a prerequisite to the required accounting practicum
Bachelor of Science – Finance: moving FIN 320 within the curriculum as a prerequisite to the required finance internship
Bachelor of Science – Mathematics Education: consistent with recommendations from the CUPM Curriculum Guide 2004, a report by the Committee on the Undergraduate Program in Mathematics by the Mathematical Association of America
Bachelor of Science – Mathematics: consistent with recommendations from the CUPM Curriculum Guide 2004, a report by the Committee on the Undergraduate Program in Mathematics by the Mathematical Association of America
Minor – Mathematics: consistent with recommendations from the CUPM Curriculum Guide 2004, a report by the Committee on the Undergraduate Program in Mathematics by the Mathematical Association of America
Bachelor of Science – Management Information Systems: moving MIS 315 within the curriculum as a prerequisite to the required MIS practicum

New Courses

Subject	No.	Title	Crs.	Effective Term
ANSC	380L	Livestock Sales and Marketing Laboratory	1	Summer 2016
ANSC	701	Writing and Communicating in the Animal Sciences	3	Fall 2016
ANSC	750	Quantitative Genetics Applications of Matrix Algebra	1	Fall 2016
ANSC	754	Cybersheep: A Genetic Simulation Game	1	Fall 2016
Uniform	495	Undergraduate Teaching Experience	1-5	Summer 2016
VETS	358L	Veterinary Surgical Nursing Techniques Laboratory	2	Summer 2016

Course Changes

From:				***To:***				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
ABEN	110	Introduction to Agricultural and Biosystems Engineering	2	ABEN	110	Introduction to Agricultural and Biosystems Engineering	**3**	Fall 2016
ENGL	271	Literary Analysis	3	ENGL	**272**	Literary Analysis	3	Summer 2016
VETS	358	Veterinary Surgical Nursing Techniques	4	VETS	358	Veterinary Surgical Nursing Techniques	**2**	Summer 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions

Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
ABEN	110	Introduction to Agricultural and Biosystems Engineering	Desc: Introduction to agricultural and biosystems engineering (ABEN) for students interested in pursuing the major and profession. Content emphasizes ABEN sub-disciplines through engineering problem solving and introductory design.	Fall 2016
CHEM	150	Principles of Chemistry I	Prereq or Co-req: MATH 103 or MATH 107	Fall 2016
CM&E	301	Construction Technology and Equipment	Prereq: CM&E 240 and junior standing in Construction Management or Construction Engineering program	Summer 2016
HDFS	435	Topics in Socioemotional Development	Prereq: HDFS 250 or PSYC 350 or SOC 340 and junior or senior standing	Fall 2016
MATH	420	Abstract Algebra I	Prereq: MATH 270, 329	Fall 2016
MATH	483	Partial Differential Equations	Prereq: MATH 266, 270	Fall 2016
MATH	489	Numerical Analysis II	Prereq: MATH 329, 488	Fall 2016
MATH	689	Numerical Analysis II	Prereq: MATH 688	Fall 2016
PSCI	545	Clinical Toxicology	Prereq: PSCI 411	Summer 2016
VETS	358	Veterinary Surgical Nursing Techniques	Prereq: VETS 135, 136, 256, 357, 385, 386 Co-Req: VETS 358L	Summer 2016

Course Inactivations

Subject	No.	Title	Crs.	Effective Term
CJ	327	Drugs and the Criminal Justice System	3	Fall 2016
HDFS	473	Teens at Risk	2	Summer 2016

Policy Change Cover Sheet

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

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

SECTION: 112 Pre-Employment and Current Employee Criminal Record Disclosure

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes x☐ No
   - Describe change: NDUS Board Policy Change to add expand the requirement for additional criminal background checks prior to hire.
   - 10/9/15 per Matt Hammer – changing NDUS to NDSU in Section 2.
   - 1/22/16 per Provost – changing 120 days to 10 months in Section 1 f (board policy language)

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted Human Resources and Payroll, Colette Erickson, 09/08/2015
   - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 112
602.3 Job Applicant/Employee Criminal History Background Checks

~~PRE-EMPLOYMENT AND CURRENT EMPLOYEE CRIMINAL RECORD DISCLOSURE~~

SOURCE: NDSU President
SBHE Policy Manual, Section 602.3
NDUS Procedure 602.3

~~1. Job Applicants - Criminal Record Disclosure.~~

1.1 ~~NDSU uses two forms (paper and online) for capturing applicants' criminal record disclosure information. All applicants for employment at NDSU, whether full-time or part-time, including student employment, must answer the criminal record disclosure questions prior to being hired. The nature of the position (full time or part time) will determine if the paper form is used or if this information is captured through the online PeopleAdmin system. Any offer is contingent on return and review of the signed form and verification. The hiring unit is responsible for obtaining the signed form prior to the final offer.~~

1.2 ~~A positive response (that is, the potential offeree answers that they have a criminal record) does not preclude employment. A determination will be made based on the type of conviction, how recent the conviction is, and the relevance of any conviction to the position for which the person has applied. An offer may be withdrawn as a result of these considerations. Disclosure by an applicant for employment under this policy does not prevent the University from enforcing any other policy or requirement with regards to pre-employment criminal record disclosure.~~

1.3 ~~The information shall be kept in the employee's official personnel file (http://www.ndsu.edu/policy/718.pdf) (or, for individuals not hired, with the applicant's file).~~

1.4 ~~Supervisors who have a situation under this policy should consult, prior to making a final hiring determination, with appropriate personnel, for example, Vice President in the Office of Equity, Diversity, and Global Outreach (for non-broadbanded positions), Director of Human Resources/Payroll (for broadbanded positions), University General Counsel, or their Department Chair or Dean.~~

1. Definitions:

   a. CHRC: Criminal History Records Check
   b. SOR: Sex Offender Registry
   c. FBI: Federal Bureau of Investigation
   d. BCI: Bureau of Criminal Investigation
   e. Benefited positions: as defined in SBHE Policy 703.2
   f. New hires: includes
      1. Re-hires, transfers, and promotions within the same institution, except when a CHRC and SOR check has been completed at the employing institution within the last 10 months. Promotions do not include faculty promotions when moving from

one faculty rank to another faculty rank (e.g. instructor to assistant professor, etc.); and,

2. Transfer from another NDUS institution.

2. ~~Criminal History Background Checks.~~ A nationwide FBI CHRC is authorized for all ~~NDUS~~ NDSU positions.

3. A nationwide FBI CHRC ~~criminal history background check~~ is required before beginning employment in the following positions:~~authorized for the following positions:~~

   a. Police officer;
   b. Security guard; and
   c. University Police Dispatchers/Call Center Operators.

4. CHRC and SOR checks are required for new hires for the following positions:
   a. All benefited positions; and

   b. ~~The following positions, whether benefited or non benefited~~: Non-benefited positions, including volunteers who:

      1. have access to confidential or proprietary information;
      2. have master keys;
      3. have access to cash, credit, debit or other financial transactions;
      4. are residence hall and/or apartment managers, directors or assistants;
      5. are child care employees and other employees who have unsupervised contact with minor children;
      6. are responsible for, or with access to, controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances;
      7. are instructional faculty and staff, including graduate teaching assistants; and,
      8. are counselors and coaches.

~~1. Chancellor, institution president and vice presidents;~~

~~2. Police officer and security guard;~~

~~3. Resident hall and apartment manager or director and assistants;~~

~~4. Information technology staff;~~

~~5. Employees responsible for or with unsupervised access to cash, credit, debit or other financial transactions or numbers, or confidential or other protected information, including medical records, social security numbers, tax, retirement, or vendor or contractor proprietary or other confidential information;~~

~~6. Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities;~~

~~7. Child care employees and other employees who have unsupervised contact with~~

~~children;~~

~~8. Part time instructional staff;~~

~~9. Employees responsible for or with access to controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances; and~~

10. ~~Counselors and coaches~~.

4.1 ~~As stated in SBHE Policy 602.3, a nationwide FBI criminal history background check is required before beginning employment in the following positions:~~
~~a. Police officer; and~~
~~b. Security guard.~~

5. ~~A criminal history records check~~ The CHRC, ~~which~~ may be a North Dakota BCI check, a nationwide FBI ~~nationwide~~ check or check of another state or multiple jurisdictions~~, is required before beginning employment in the following positions:~~

~~a. *All new benefitted hires;*~~

~~b. Chancellor, president, *provost*, and vice presidents;~~

~~c. Resident hall and apartment manager or director and assistants;~~

~~d. Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities;~~

~~e. Child care employees and other employees who have unsupervised contact with children;~~

~~f. Employees responsible for or with access to controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances; and~~

~~g. Counselors and Coaches.~~

~~*The level of check will be determined by the hiring department upon consultation with the central administrative office conducting the search.*~~

~~5. Current Employees~~

5.1 ~~Current employees have a duty to immediately report a criminal conviction covered under this policy (all felonies; and misdemeanors involving violence and theft; or any offense requiring one to register as a sex offender) to their supervisor and the Director of Human Resources/Payroll. See Policy 155 for arrests and convictions involving drugs and alcohol in the workplace. Additional evidence about the conviction (example, the judgment of conviction) may be placed in the employee's official personnel file. The employee can add a statement pertaining to the conviction. Whether the conviction has an effect on employment status will be determined by the supervisor after consultation with appropriate personnel. (See section 4 above.) The employee can request that the conviction information be removed from the employee's official personnel file after misdemeanors are over 5 years old and 10 years for felonies.~~

5.2 ~~Information regarding this subsection shall be provided to employees as part of the NDSU Annual Notice of Policies Covered under the ND Risk Management Program.~~

5.3 ~~All current employees are required to sign a Criminal Record Disclosure Form.~~

5.4 ~~Employees arrested or charged by summons to appear for crimes covered by this policy, or for a crime otherwise job related (e.g., a DUI if driving is a job requirement), have a duty to notify their supervisor and the Director of Human Resources/Payroll within five days of the arrest or receipt of the summons. While an arrest is not a conviction, NDSU will determine any potential actions or consequences on a case by case basis.~~

6. The CHRC and SOR checks must be completed before beginning employment. If there is an urgent documented need to start employment within seven working days of selection and prior to the completion of the check, the employee may begin work as scheduled, under proper supervision; however, continued employment is subject to successful completion of the checks.

HISTORY:

New	July 1, 2002
Amended	February 2006
Amended	October 2007
Amended	December 2007
Amended	June 23, 2009
Housekeeping	November 15, 2010
Housekeeping	December 28, 2010
Amended	February 7, 2012

Policy 151 Version 2 02/03/16

Policy Change Cover Sheet

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SECTION: Policy 151: Code of Conduct

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes XXXX No
   - Describe change: The previous language was vague and ambiguous, such as what the requirements to be collegial and positive entailed. As a result, unfortunate misinterpretations of policy could adversely affect employment. The new language focuses on professional conduct with clearer guidance.
   - As per Matt Hammer:

Section 2. General Conduct, please add "the" to the first sentence of the second paragraph as shown below:

All NDSU personnel are subject to the rules and policies of the North Dakota State Board of Higher Education, NDSU, and their respective department or unit. NDSU expects all University personnel to

Additionally with Section 2., Subsection A.; Please add: "or as assigned by respective department or unit;"

NDSU requires all employees to act professionally in their interactions with others including:
A. Following training and job specific requirements as stated in the employee's job description or appointment letter, or as assigned by respective department or unit;

Section 2., Subsection B. In the parenthetical.

(See Policy 100: Equal Opportunity and Non-discrimination Policy, Policy 325: Academic Freedom, or other relevant policies for guidance.)

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2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted – Faculty and Staff Senates
   - Email address of the person who should be contacted with revisions - dennis.cooley@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

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North Dakota State University
Policy Manual

SECTION 151
CODE OF CONDUCT

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

1. Introduction and Application.
This Code of Conduct governs the State Board of Higher Education and its members and establishes minimum standards for all NDUS officers and employees. The Board and entire NDUS are committed to uphold the highest ethical and professional standards. All Board members and NDUS officers and employees must, at all times, comply with all applicable laws, regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, or bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law.

2. General Conduct.
The Board supports an environment that is free of discrimination or harassment. All Board members, officers and employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of the NDUS, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or applicable system office or institution policies, are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law or SBHE Policy 603.1, is prohibited.

~~*Officers and employees are expected to uphold the values of honesty, respect, integrity and trust. In addition, when interacting with one another and the public, all are expected to behave in a professional, collegial, cordial, civil, positive, respectful and ethical manner.*~~

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

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

A. Following training and job specific requirements as stated in the employee's job description or appointment letter, or as assigned by respective department or unit,

B. Respecting the value, creativity, and diversity of all persons, which includes diversity of opinions and professional approaches to doing things, (See Policy 100: Equal Opportunity and Non-discrimination Policy, Policy 325: Academic Freedom, or other relevant policies for guidance~~and Policy 325: Academic Freedom~~.)

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C. Contributing to an environment of respectful and productive working relationships with those with whom the person interacts, and

D. Making good faith efforts to resolve differences constructively.

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

3.1 Conflict of Interest – Contracts.
An officer of the North Dakota State Board of Higher Education authorized to sell or lease any property or make any contract in the officer's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract.

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

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

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

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

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

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

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

Employees have an obligation to act in the best interests of NDSU. Any direct or indirect personal or financial interest which could create a conflict of interest or the appearance of a conflict of interest in any agreement, transaction or relationship must be disclosed by the employee by completing and signing the North Dakota State University Conflict of Interest Disclosure Statement and submitting it to the employee's supervisor. This includes but is not limited to the disclosure of privately owned assets being used or otherwise commingled

with state assets and participation in any foundation, business or public entity which may create a conflict with an employee's obligations to NDSU. See also NDSU Policy 152: External Professional Activities.

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

5. Relationships with Clients and Suppliers; Conflicts of Interest.
   Board members are not NDUS employees and may have other full or part-time employment and other professional, civic and personal responsibilities and activities, in addition to their part-time service as Board members. Nevertheless, Board members must be familiar with and comply with applicable laws governing conflict of interest that apply to Board members and should strive to avoid other activities that create an obligation, interest or distraction that interferes with the independent exercise of judgment in the best interest of the NDUS. They should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the NDUS or NDUS institution, or that provides goods or services to the NDUS, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties.

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

7. NDUS Funds and Other Assets
   Board members, officers and employees who have access to NDUS fund and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDUS procedure manuals or other explanatory materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior or to legal counsel.

   Board members, officers and employees responsible for spending or approving expenditure of NDUS funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of the NDUS to ensure that good value is received for every expenditure. NDUS funds and all other assets are for NDUS purposes only and not for personal use or benefit. NDUS or other public equipment, supplies and other property or assets

may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or policy.

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

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

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

11. Privacy, Confidentiality and Open Records.
    Board members, officers and employees must at all times comply with applicable laws, regulations and SBHE policies concerning privacy, confidential records, access to open records and records retention.

12. Reporting Suspected Violations; Procedures for Investigating Reports.
    Officers and employees shall report suspected violations of this Code to their superior, some other senior manager or administrator or legal counsel. In addition, the NDUS shall maintain a fraud hotline and suspected violations may be reported by use of that hotline. Any officer or employee who makes a report in good faith shall be protected against retaliation of any kind; any officer or employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline. Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.

    Board members who have information concerning a possible violation of this Code or are uncertain about application or interpretation of any legal requirement should report the matter to the chancellor, legal counsel or the attorney general.

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

13. Institution Codes.

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

a. A Statement of the organization's values;

b. The people or groups of people affected;

c. A brief description or list of key behaviors that are accepted and not accepted;

d. How to identify and resolve conflicts of interest;

e. How to report violations and to whom;

f. Consequences of violating the Code;

g. Consequences of failure to report known or suspected violations; and

h. How reports will be investigated.

The NDUS office and each institution shall require that each new employee review the Code of Conduct and sign a statement certifying the employee has read and agrees to comply with the Code. Further, all benefited employees are require to annually certify in writing that they have read and are in compliance with the Code of Conduct.

Resources and Related Policies:

NDSU Policy 100: Equal Opportunity and Nondiscrimination Policy
NDSU Policy 110: Employment of Relatives
NDSU Policy 100.1: Nondiscrimination of the basis of Disabilities and Reasonable Accommodation
NDSU Policy 112: Pre-employment and Current Employee Criminal Record Disclosure
NDSU Policy 151: Conflict of Interest
NDSU Policy 151.1: External Activities and Conflicts of Interest
NDSU Policy 152: External Professional Activities
NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees
NDSU Policy 160: Political Activities of University Employees
NDSU Policy 161: Fitness for Duty
NDSU Policy 162: Sexual Harassment Policy
NDSU Policy 162.1: Consensual Relationships
NDSU Policy 169: Employee Responsibility and Activities: Theft and Fraud
NDSU Policy 169.1: Employee Misuse of Property Reports - - Protections
NDSU Policy 190: Employee Responsibility and Activities: Intellectual Responsibility
NDSU Policy 323: Selection of Textbooks and other Curricular Materials
NDSU Policy 326: Academic Misconduct
NDSU Policy 345: Research Involving Human Subjects
NDSU Policy 340.1: Coursepacks
NDSU Policy 400: Purchasing - General Policies
NDSU Policy 406: Surplus Property
NDSU Policy 505: Property, Plant and Equipment
NDSU Policy 700: Services and Facilities Usage

NDSU Policy 700.1: Use of University Name
NDSU Policy 700.2: Taking Equipment Off-Campus
NDSU Policy 700.3: Personal Use of State Property
NDSU Policy 710.1: Web Advisory Board
NDSU Policy 712: Contract Review
NDSU Policy 718: Public/Open/Restricted Records
NDSU Policy 823: Financial Disclosure - sponsored Projects
NDUS Policy 603.3: Nepotism
NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility
NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest
NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials
NDUS Policy 803.1: Purchasing Procedures
Conflict of Interest Form
NDSU Consulting Authorization Request Form
NDSU Fraud Hotline
AAUP Statement of Professional Ethics
NDSU Research Foundation
N.D.C.C. Ch. 12.1-13 (See section 12.1-13-03: Public servant's interest in public contracts.)
N.D.C.C. Ch.48-01.2: (See section 48-01.2-08: Officers must not be interested in contract.)
N.D.C.C. Ch. 44-04: (See section 44-04-09: Nepotism.)

HISTORY:

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

Policy Change Cover Sheet

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SECTION: Policy 327- Evaluation of Academic Deans, Directors and Department Chairs and Heads

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ✓No
   - Describe change: adding Provost and FT Vice Provosts, Academic Vice Presidents, and FT Associate/Assistant Deans, to be evaluated under this policy; clarifying annual review and comprehensive review responsibilities; changing comprehensive review from every three years, to year three of initial appointment and every five years thereafter; streamlining evaluation criteria; separating evaluation procedure from policy.
   - Version 2 includes Faculty Senate recommendation to remove references to confidentiality in Section 5 under Procedure; the review cannot be confidential due to state requirements.

     Please note that the attached procedures are provided as information to accompany the policy changes and do not need to be voted upon.
2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Commission on the Status of Women Faculty, working with the Office of the Provost – submitted 10-16-2015
   - Email address of the person who should be contacted with revisions: Karen.Froelich@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

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SECTION 327
EVALUATION OF ACADEMIC ADMINISTRATORS~~ACADEMIC DEANS, DIRECTORS AND DEPARTMENT CHAIRS AND HEADS~~

SOURCE: NDSU President
Faculty Senate

1. **Introduction**

North Dakota State University believes every university employee deserves regular evaluation of his or her professional duties as they relate to a formal job description and the university's needs. ~~-~~This process should be transparent and constructive~~honest, open~~, ~~and forthright;~~ including an acknowledgment of the employee's achievements, as well as an assessment of his or her ability to match the university's expectations~~, and a determination of areas needing improvement~~.

~~As t~~This ~~evaluation process~~policy pertains~~relates~~ to the ~~campus~~ provost, full-time vice provosts, academic vice presidents who report to the provost, academic deans, full-time academic associate and assistant deans, directors of academic offices, and ~~,~~ chairs and heads.~~, directors, and other academic supervisory personnel,~~ ~~-~~The evaluation process will include input from a variety of groups; faculty will play a major role in evaluation of academic administrators.~~it is expected that an evaluation will always emphasize areas of special achievement, while also identifying areas needing improvement. This should be a constructive and useful experience to be welcomed by the person being evaluated. It is a required part of an ongoing process designed to ensure that the person evaluated continues to meet both his or her own needs, as well as the needs of affected university publics.~~

2. **Annual Review~~Timetables~~**

Each administrator covered by this policy will be reviewed annually by the administrative supervisor to whom that person reports in accordance with Policy 167.

3. **Comprehensive Review**

All administrators covered under this policy will undergo a comprehensive review. ~~Evaluation of deans, directors, and chairs will include input from a variety of groups. This document is designed to guide faculty, as they play a major role in evaluation of academic supervisors. It is expected that deans, chairs, and directors will be evaluated formally~~The first comprehensive review will be completed by the end of the administrator's third year of appointment. Subsequent reviews will occur~~ at least~~ every ~~three~~five years, to be completed by the end of the fifth year after the prior review. Interim reviews may be requested by the administrator or by the person to whom the administrator reports. ~~-~~If a review indicates substantial areas of concern or lack of performance, the next review will be completed within two years of that review.~~The college or department Promotion, Tenure and Evaluation (PTE) committee, supervising administrator, or the employee himself/herself may request an evaluation.~~

4. **Common Review Criteria**

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Review criteria should be based on the administrator's job description which may include, but are not limited to the following:
a) leadership, strategic planning and assessment;
b) administration and management;
c) commitment to institutional values including equity and diversity, academic freedom, and shared governance;
d) external relations;
e) service to the broad mission of the University.
The relative importance of evaluation areas will vary with position of the administrator; therefore some criteria above many not apply and others may be added.

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5. Procedures

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Reviews will be initiated by the administrator's supervisor, and must be conducted according to the Comprehensive Review Procedures for Academic Administrators.

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Review committees – consisting of tenured faculty, relevant administrators, and staff – will be formed in accordance with the Comprehensive Review Procedures. The review committee shall prepare a report summarizing its findings for submission to the supervisor.

~~As personnel matters, reviews and any materials generated during the review process are confidential.~~ The supervisor will provide a summary of the review for public distribution.

~~3. Evaluation of academic deans and directors~~

~~3.1 Evaluation standards~~

~~While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.~~

~~a) Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.~~

~~b) Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.~~

~~c) Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of chairs, faculty and staff, manages the dean's or director's office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other colleges, makes decisions in a timely fashion.~~

d) Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.

e) Instruction. Coordinates and implements curricula as developed by the faculty.

f) Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.

g) Development. Within the context of the college, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.

h) Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.

i) Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.

3.2 **Evaluation Procedures**

a) The Office of the Provost initiates evaluations of these administrators. To ensure faculty involvement, the faculty of a college or unit must organize a committee consisting of full-time non-administrative faculty at the assistant professor, associate professor, or full professor level. Members of the Evaluation Committee are recommended to the Provost the college or unit's PTE Committee, as appropriate under the evaluative charge of this group. However, members of the college's PTE Committee cannot appoint themselves.

b) The number of faculty on the committee may be flexible, but should total at least five. Evaluation Committee members should decide at an initial meeting the number of members constituting a quorum. A timetable should be set in consultation with the Provost or other senior administrative office to assure that the faculty evaluation material is ready in time to be included in the entire evaluation document.

c) The Evaluation Committee will propose a written evaluation form based upon the formal job description, dean's statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the dean/director, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit responses from faculty, chairs, peer administrators, and others including classified staff, students, recent graduates, and external constituencies, if appropriate.

d) The Evaluation Committee will analyze the completed evaluation forms and prepare a committee evaluation report summarizing the findings for the Provost. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the college or division have changed, it may recommend to the Provost that the position description be changed.

e) Upon receipt of the committee's evaluation report, the Provost will also analyze and summarize the data. The Provost will then meet with the Evaluation Committee to determine consensus and discuss differences. The Provost will prepare a draft report of the final evaluation and provide it to the dean. The Provost will meet with the dean and discuss the findings of the Evaluation Committee. Following this meeting, a final evaluation report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the dean/director discuss this final evaluation report at a subsequent college or division faculty meeting.

f) At any time, faculty or staff not on the committee, of course, may contact the Office of the Provost or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.

4. Evaluation of chairs and heads

4.1 Evaluation standards

While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.

a) Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.

b) Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.

c) Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of faculty and staff, manages the department office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other departments, makes decisions in a timely fashion.

d) Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.

e) Instruction. Coordinates and implements curricula as developed by the faculty.

f) Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.

g) Development. Within the context of the (college) unit, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.

h) Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.

i) Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.

4.2 **Evaluation Procedure for chairs and heads**

a) Chairs also must be evaluated at least once every three years, with the dean of the college or the director of the unit initiating the evaluation process. The dean, in conjunction with the department faculty, will form an ad hoc committee consisting of at least three faculty members.

b) This ad hoc committee chair will propose a written evaluation form based upon the chair's formal job description, statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the chair, who will be invited to offer input before the document is finalized. The final evaluation form will be used to solicit response from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if appropriate, external constituencies.

c) The ad hoc committee will analyze the completed evaluation forms and prepare a report summarizing the findings for the dean. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed.

d) Upon receipt of the report from the Evaluation Committee, the dean will also analyze and summarize the data. The dean will then meet with the ad hoc committee to determine consensus and discuss differences. The dean will prepare a draft report and provide it to the chair. The chair will meet with the dean regarding the report. Following this meeting, a final report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the chair discuss this evaluation at a subsequent department faculty meeting.

~~e) At any time, faculty or staff not on the committee, of course, may contact the deans' office or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.~~

HISTORY:

New	July 1990
Amended	April 1992
Amended	January 1995
Amended	January 1996
Amended	February 1997
Amended	May 1997
Amended	January 2003
Amended	October 2007
Housekeeping	February 14, 2011
Housekeeping	July 12, 2013

COMPREHENSIVE REVIEW PROCEDURES

Adapted from Section 327: Evaluation of Academic Administrators

1. **Introduction**

In addition to the annual review, full-time academic administrators are subject to a comprehensive review in their third year of initial appointment and at least once every five years thereafter. The comprehensive review process for academic administrators follows the guidelines described below.

2. **Evaluation of Provost, Vice Provosts, and Academic Vice Presidents**

a) **Initiating evaluation.** Reviews will be initiated by the administrator's supervisor. A review committee will be formed, consisting of tenured faculty, relevant administrators, and staff.

b) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

c) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

d) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from peer administrators, deans, chairs/heads, and appropriate faculty, staff, students, and other constituents. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

e) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the supervisor. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the immediate supervisor regarding the review committee's report.

f) **Supervisor report and action plan.** An evaluation report will be written by the immediate supervisor, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The supervisor will meet with the administrator to review the evaluation report and action plan. The final supervisor's report and action plan will be placed in the administrator's personnel file.

g) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

3. **Evaluation of Academic Deans**

a) **Initiating evaluation.** The Office of the Provost initiates evaluations of academic deans (including dean of the graduate college and dean of libraries).

b) **Forming the review committee.** To ensure faculty involvement in evaluation of college deans, members of the review committee are recommended to the provost by the college or unit's PTE committee. Members of the PTE committee cannot appoint themselves as a group. The review committee must consist of full-time non-administrative faculty, as well as relevant staff and other constituents. The number of faculty on the committee may be flexible, but should total at least five, including at least three tenured faculty members and two full professors. Assistant professors may serve, as long as the tenured faculty minimum is met. To ensure constituent involvement in evaluation of the dean of the graduate college and the dean of libraries, members of the review committee are recommended to the provost by the executive committee of the faculty senate. The review committee must consist of tenured faculty and relevant administrators and staff. A majority of any review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the provost or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the dean's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the dean, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, chairs/heads, peer administrators, and others including classified staff, students, recent graduates, and external constituencies. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the provost can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the dean's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the provost. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the college have changed, it may recommend to the provost that the position description be changed. The chair of the review committee will meet with the provost regarding the review committee's report.

g) **Provost's report and action plan.** An evaluation report will be written by the provost, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The provost will meet with the dean to review the evaluation report and action plan. The provost's final evaluation report and action plan will be placed in the dean's official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the committee may contact the review committee or provost with comments or concerns relating to the person being evaluated.

4. **Evaluation of Chairs and Heads**

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of chairs or heads. The process for annual feedback may be determined by the department.

b) **Initiating evaluation.** The dean of the college or director of the unit initiates review of chairs and heads. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the dean to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the chair or head's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the chair or head, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if appropriate, external constituencies. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the dean can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the chair or head's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements, or changes in position responsibilities. The dean will meet with the chair or head to review the evaluation report and action plan. The final dean's report and action plan will be placed in the chair or head's official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or deans' office or other appropriate supervising officer directly with comments or concerns relating to the person being evaluated.

5. **Evaluation of Associate or Assistant Deans and Directors**

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of associate or assistant deans and directors. The process for annual feedback may be determined by the college.

b) **Initiating evaluation.** The supervising dean initiates the evaluation of associate or assistant deans and directors. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders based on the individual's job description. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant evaluation criteria that apply in this context. A draft of the adapted evaluation form will be made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from members of groups impacted by or involved with the work of the associate/assistant dean or director (such as faculty, staff, peer administrators, deans, chairs/heads, students, and other constituents). Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The dean will meet with the administrator to review the evaluation report and action plan. The final dean's report and action plan will be placed in the administrator's personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

Policy Change Cover Sheet

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

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

SECTION: 712 Contract Review

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping change in Section 3 – 1) updated term for General Counsel/Attorney assigned to NDSU to Assistant Attorney General, 2) added the word University back into the last sentence and inserted a missing period (inadvertently deleted/lost during a prior update)

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Gina Haugen / Finance & Administration 1/22/16
   - Email address of the person who should be contacted with revisions: gina.a.haugen@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 712
CONTRACT REVIEW

SOURCE: NDSU President
SBHE Policy Manual, Section 840

1. Any contractual agreement involving North Dakota State University must be signed by the President and/or the Vice President for Finance and Administration, or their designated representative or as otherwise stated in Section 2.

2. The following positions have contractual authority in the stated areas:

Provost and Vice President for Academic Affairs	academic agreements
Vice President for Agriculture and University Extension	entitlement programs such as Hatch and McIntire-Stennis funds and USDA/CSRS noncompetitive grants; Extension Service funds such as Smith-Lever funds
Office of the Provost	agreements related to Equity, Diversity & Global Outreach's mission such as grants and/or international agreements
Vice President for Information Technology or Dean, NDSU Libraries	software site licensing contracts
Vice President for Research and Creative Activity	research grants and contracts and technology transfer documents
Vice President for Student Affairs	student affairs agreements
Director, Division of Fine Arts	Reineke Fine Arts and Askanase Hall use
Director of Purchasing	purchase agreements and leases
State Forester	Cooperative Forestry Assistance funds

3. Delegated authority to sign as a designated representative shall be in writing and submitted to the President. All contracts and contract amendments, must be approved by ~~University General Counsel~~the Assistant Attorney General pursuant to State Board of Higher Education Policy 840. Any contract document, lease agreement, etc., not bearing an authorized signature will not be binding

to the University. ~~Attorney assigned to NDSU~~Assistant Attorney General approved form contracts don't need further approval unless they are changed.

4. Written delegation must specify area of contract authority by position and/or name and be reviewed by the delegator when person in that position changes.

For more information regarding contract review, see SBHE Policy 840 and NDUS Procedure 840.

HISTORY:

New	July 1990
Amended	April 1992
Amended	November 1992
Amended	May 1996
Amended	February 2000
Amended	October 2000
Amended	January 2003
Amended	February 2005
Amended	October 2007
Amended	January 2008
Amended	December 27, 2010
Housekeeping	March 16, 2015
Housekeeping	August 31, 2015

Bylaws

Article I: Faculty Senate Membership

Section 1.
Each representation unit shall have one elected senator for every fifteen eligible faculty (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the Fargo Campus as of October 1 of each year. Faculty members in the 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, professors of practice, research faculty, assistant, associate, and 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 Faculty Senate seats:

a. College of Agriculture, Food Systems, and Natural Resources
b. College of Arts, Humanities, and Social Sciences
c. College of Business
d. College of Engineering
e. College of Human Development and Education
f. College of ~~Pharmacy, Nursing, and Allied~~ Health ~~Sciences~~Professions
g. College of Science and Mathematics

Section 4.
The Faculty Senate President with the assistance of the Secretary of the Senate will stagger Senate terms so that approximately 1/3 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.

Section 5.
Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected senator shall be three years. Senators cannot be reelected for consecutive terms.

Section 6.
If a senator must vacate her or his seat, the vacancy shall be filled by a special election within the unit from which she or he was elected. The term of a member under these circumstances shall

commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

Section 7.
A senator may be removed from office by way of a two-thirds majority vote at a regular Faculty Senate meeting, followed by a 2/3 majority vote at the next meeting. ~~.~~This action may never be part of a consent agenda. In the event a senator is removed, the Faculty Senate 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 Faculty Senate meetings. If unable to attend the meeting the senator must find a competent substitute (who is not already a senator) to act as her or his proxy at the meeting. Said proxy will have all rights and privileges accorded a regular senator. The senator must provide signed notification of the substitution to the Secretary of the Faculty Senate prior to start of the meeting.
2. Prepare for Faculty 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 Faculty Senate.
4. Disseminate Faculty Senate information to their individual representation units.
5. Gather opinions and other information from their representation units concerning Faculty Senate activity.
6. Show proper decorum during meetings.

Article II: Organization and Faculty Senate Operation

Section 1.
Administrative officers of the Faculty 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 Faculty Senate at the last~~April or May~~ meeting of the Faculty Senate in the academic year. The President-Elect will be elected from the roster of current or former 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 President as a replacement for the position of Immediate Past President.

Section 4.
During their respective terms the President-Elect ~~and~~, the President and the Immediate Past President will not represent their~~her or his~~ representation units in the Senate.

Section 5.
The authority of the President, President Elect or Immediate Past President will be terminated before the end of its term if he/she loses the eligibility, voluntarily resigns with eligibility or is removed from office by the Senate with/without eligibility.

1. Voluntary resignations shall be tendered before the Senate at its regular meetings.
2. Removal of the President ~~or~~, President-Elect or Immediate Past President by the Senate requires a 2/3 vote at a regular Senate meeting, followed by a 2/3 vote at a special meeting of the Senate convened in not more than 2 weeks after the first meeting. The second meeting will be convened and presided by a Special Returning Officer who will be appointed by the Senate immediately after the first vote. The removed officer shall not complete his/her term as a Senator.
3. In the event that the authority of the President is terminated ~~President is removed or unable to complete their term out of their own decision~~ but the President-Elect is still in good standing, the~~, the~~ President-Elect will assume the role of President ~~and will continue as President~~ to finish the term left by the removed President and then he/she will start his/her originally elected term.
    a. The removed president will not serve as Immediate Past President. ~~until the~~
    b. ~~President-Elect's ori ginal term i s concluded .~~ The assumed President may wish to appoint one of the senators to assist in the duties of the President-Elect. This appointment does not necessarily imply automatic elevation to the full position of President-Elect at the end of the term.
4. In the event that the authority of the President-Elect is terminated~~removed~~ ~~of unable to complete their term out of their own decision~~, 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 he/she will convene and preside the Senate meeting to elect a new President and the President-Elect in not more than two weeks.
    ~~a.~~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 of the election of the President and the President-Elect in not more than two weeks. Section 5.5 above will then be used to fill the position of the Immediate Past President.

~~The removed officer shall not complete her or his term as a Senator~~.

Section 6.
Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Faculty 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 Faculty Senate on administrative councils.
9. Provide the Secretary of the Senate and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Submit policies or actions approved by the Faculty Senate to the University President for consideration.
11. Moderate the official faculty listserv.

Section 7.
Duties of the President-Elect shall include the following:

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

Section 8
Duties of the Immediate Past President shall include the following:

1. Advisee 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 the senate regular meetings in the absence of both the President and the President-Elect.
3. Serve on the Senate Executive Committee.

Section ~~8~~9.
The University Registrar shall be the Secretary of the Senate; the Secretary of the Senate 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 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, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.
8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.
10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.

Section ~~9~~10.
Regular meetings of the Senate shall be held at 3:30 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or state holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 11~~0~~.
Special meetings may be called by the President or on petition of one-third of the membership of the Senate.

Section 12~~1~~.
Meetings of the Faculty Senate shall be open to the public. At each Senate meeting the President of the University, the Provost, the Student Body President, and the Staff Senate President will be invited to make announcements. The Faculty Senate 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 ~~12~~13.
Faculty Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Faculty Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

Section 13~~4~~.
The primary business of the Faculty Senate is to review, propose, and approve of policy with respect to the following matters:

a. Academic freedom, including rights and responsibilities.
b. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
c. Research and scholarship.
d. Admissions standards and prerequisites.

e. Requirements for regular certificates and degrees.

f. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.

g. Teaching quality.

h. Professional standards and criteria for positions accorded academic rank.

i. Policies and procedures for promotion, tenure, and evaluation.

j. And other academic matters.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Committee and other reports.

~~5.~~6. Unfinished business.

~~6.~~7. New business.

~~7.~~8. Adjournment.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Planning and prioritizing Faculty Senate action for the year.

~~5.~~6. Adjournment.

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

Section ~~14~~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 ~~15~~16.
The minutes of the meeting shall be posted to the Senate website by the Secretary within one week after the meeting.

Article III: Senate Committees

Section 1.
Duties of standing committees include:

1. Selecting a chair who will serve as a liaison to the Faculty Senate.
2. Initiating and reviewing policy and policy changes in their areas of responsibility.
3. Providing their recommendations to the Faculty 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 Faculty 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 Faculty Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress (5 minutes) at the May meeting of the Faculty Senate or, at the President of the Faculty Senate's request, 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. Such membership shall be presented to the Faculty Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last senate meeting of spring semester, unless otherwise specified.

Section 5.
After the Faculty 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.

Section 6.
All Faculty Senate committee action is subject to review and approval by the Senate.

Section 7.
The Faculty Senate may create special committees as it deems necessary. Such committees shall be discharged upon the completion of their assigned duties. The duties of a special committee should not duplicate work being done by or usurp the responsibility of a standing committee without approval by said standing committee. Special committees shall be commissioned by a majority vote of the full Senate.

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the~~Graduate School designated by the~~ Dean~~ of Graduate and Interdisciplinary Studies~~, and two students.
2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.
3. Committee responsibilities include:
    a. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
    b. Recommending policies for the evaluation of transfer credit
    c. Recommending policies for graduation
    d. Recommending candidates for graduation
    e. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 2. Academic Integrity

1. Membership shall consist of one tenured faculty member with the rank of professor from each representation unit. If a full professor is not available, an associate professor may be appointed.
2. Committee responsibilities include:
    a. Providing investigative assistance on cases involving academic misconduct as described in Policy 326.
    b. Selecting panels of three persons competent to investigate allegations; such panels may include members from outside the University.
    c. Reviewing and recommending policies on academic integrity.

Section 3. Budget

1. Voting members shall consist of one faculty from each representation unit, and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance (or designee).
3. Committee responsibilities include:
    a. Becoming familiar with the university budget process.
    b. Developing a set of guiding principles which align with strategic priorities, with the intent of informing university budget decisions from a faculty perspective.

c. Soliciting 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. Acting as a conduit of information between faculty and administration for budget discussions and decisions.

Section 4. Conflict of Interest Advisory

1. Committee membership shall consist of five tenured faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President.
2. No two committee members may have primary appointments in the same representation unit.
3. Committee responsibilities include:
    a. Serving as an advisory body to the administration on the issue of Conflict of Interest.
    b. Initiating and reviewing policies concerning Conflict of Interest and making recommendations regarding such policy at the Faculty Senate.
    c. Hearing and ruling on appeals of decisions in conflict of interest cases.
    d. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 151.1.
4. In the event that a member of the committee recuses himself/herself 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.

Section 5. Council of College Faculties

1. Membership shall consist of three faculty members elected to staggered three-year terms.
2. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Council of College Faculties.
3. Responsibilities and procedures of the Council of College Faculties are determined by the Constitution and Bylaws of the Council.

Section 6. Equity and Diversity

1. Voting membership shall consist of five faculty members and a faculty representative from the Commission on the Status of Women Faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President. The Executive Committee shall strive for representation from diverse groups.
2. Non-voting membership shall consist of ~~a representative from~~ the Vice Provost for Faculty Advancement (or designee) ~~office of the Vice President for Equity, Diversity, and Global Outreach~~.
3. Committee responsibilities include:
    a. Reviewing, revising and proposing 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, and sexual minorities (e.g., lesbian, gay, bisexual, or transgendered).

Section 7. Executive Committee of the Faculty Senate

1. Voting membership shall consist of one senator from each representation unit, the President, the immediate Past President, and the President-Elect. ~~In the event the immediate Past President is unable or unwilling to serve, the President will appoint another past President as a replacement for the immediate Past President on the committee~~. The term of office shall be for one year following the regular May meeting.
2. Non-voting membership shall consist of a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, a faculty representative from the Commission on the Status of Women Faculty, the Faculty Senate Secretary, and the parliamentarian. The term of office of all members of Executive Committee shall be for one year following the regular May meeting.
3. During the first week of the fall semester, the Executive Committee shall meet and organize for the academic year.
4. Committee responsibilities are the following:
    a. Delegating tasks to Faculty Senate committees.
    b. Reviewing the progress of Faculty Senate committees.
    c. Setting the agenda for upcoming Faculty Senate meetings.
    d. Interpreting, when necessary, provisions of the Faculty Senate Constitution and Bylaws.

Section 8. Faculty Affairs

1. Membership shall consist of one faculty member from each representation unit, a non-voting faculty representative from the Commission on the Status of Women Faculty, and a nonvoting faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of from the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Committee responsibilities include:
    a. Reviewing policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching and service.
    b. Reviewing and recommending revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.

Section 9. Faculty Pool for Administrative Search Committees

1. Membership shall consist of all active senators for the entirety of their term.

2. For each administrative search out of the Provost office, the Provost shall send a request to the Faculty Senate President listing the number of faculty members from the faculty pool the Provost will seat on the search committee.
3. The Faculty Senate President (or designee) shall ask the senators for nominations (from the pool) and hold a vote (among senators). A list with the names of the top candidates shall be generated. The number of candidates on this list shall be the number requested by the Provost plus one.
5. Once an adequate list of qualified candidates is created, that list shall be sent by the Faculty Senate President (or designee) to the Provost.
6. The Provost shall select from that list the number of faculty members she/he indicated are needed for that search committee.

Section ~~9~~10~~.~~ Faculty Rights

1. Membership, responsibilities, and procedures are determined by directives of the North Dakota State Board of Higher Education.
2. Membership consists of five members, from different representation units, elected for five-year terms by the faculty. Membership is restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
3. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Standing Committee on Faculty Rights. Committee members' terms will begin and end on August 15.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case, preferably a faculty member who has previously served on the committee. Broad representation, while a worthwhile goal, is not always achievable. However, the replacement member should be from a different representation unit than the other four members if reasonably possible.
5. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.

Section 11~~0~~. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.
2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, and the Provost (or designee).
3. Committee responsibilities include:
    a. Ensuring that existing courses and experiences meet general education requirements.
    b. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.

c. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.

d. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.

e. Providing periodic assessment of students' attainment of intended student outcomes in general education.

f. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.

g. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 12~~1~~. Grade Appeals Board

The purpose of this Board is to provide an avenue for students to challenge any grade they believe to have been unfairly assigned. Membership shall consist of one faculty member and one alternate from each representation unit, the Associate Vice-President of Academic Affairs, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by of the Dean of Graduate and Interdisciplinary Studies~~, three students and three student alternates selected by the Student Government. The Associate Vice-President of Academic Affairs will serve as Board Chair, and Policy 337 governs process.

1. Faculty shall be elected for three-year terms by their representation unit.

Students should be full-time students with a minimum 2.00 cumulative grade point average and junior standing.

3. Committee responsibilities include:
    a. Hearing charges of inequitable or prejudiced academic evaluations and to provide redress for improper evaluation.
    b. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 337.

Section 13~~2~~. Program Review

1. Membership shall consist of one tenured faculty member from each representation unit, ~~the immediate past president of the Faculty Senate~~, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of the College of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, and two students selected by the Student Government. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
2. Committee responsibilities include:
    a. Developing criteria and procedures for review of academic programs.
    b. Performing 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. Addressing concerns and making recommendation to the Faculty Senate regarding duplication of programs and courses.
    d. Recommending policies for University support to individual programs.
    e. Coordinating 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 14~~3~~. Research & Consulting

1. Voting membership shall consist of one faculty member from each representation unit and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Non-voting membership consists of a representative of the Vice President for Research, Creative Activities, and Technology Transfer.
3. Committee responsibilities include:
    a. Initiating and reviewing policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.

Reviewing research development programs and providing technical and funding reviews for faculty proposals submitted to the development programs.

Section 1~~5~~4. Technology and Instructional Services Committee

1. Voting membership shall include one faculty member from each of the representation units and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.

   Non-voting membership shall include one representative from Information Technology Division~~Services~~ (IT).

2. Committee responsibilities shall include:

   a. an annual review of IT~~S~~ support services to the NDSU teaching and research communities.

   b. making recommendations for Faculty Senate approval of any changes proposed by the IT~~S~~ Division regarding policy, implementation procedures, or classroom and instructional technologies.

   c. formulating recommendations regarding needs of the faculty that are unmet by the IT~~S~~ Division.

   d. serving as the liaison between the Faculty Senate and the IT~~S~~ Division's administration.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership shall consist of two representatives each from the Faculty, Student, and Staff Senates, the Faculty Senate President, the Staff Senate President, and the Student Body President.

2. Non-voting membership shall consist of the Provost (or designee), the Vice President for Student Affairs (or designee), the Vice President for Finance and Administration (or designee), and representatives of one of these Vice President's offices, one of whom will facilitate meetings and one of whom will maintain records. The Vice President's offices will rotate responsibility for calling meetings and maintaining records every three to five years. The coordinating council may decide to invite policy initiators to the meetings as nonvoting members to explain policy changes.

3. Committee responsibilities include:

   a. Reviewing 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. Coordinating the distribution of policies to the appropriate senate body consistent with the Faculty Senate, Staff Senate, and Student Government Constitutions.

c. Sending policies that have been voted on to appropriate channels at NDSU for final approval.

d. Serving in a liaison capacity regarding the Faculty Senate, administration, Staff Senate, and Student Government.

Section 2. Campus Space & Facilities

1. Voting members shall consist of one faculty member from each representation unit, three staff members appointed by the Staff Senate, three student members (graduate, undergraduate, and on-campus) appointed by the Student Government, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of College of Graduate and Interdisciplinary Studies~~, the Provost (or designee), the Registrar, and the Vice President for Finance and Administration (or designee).

   Non-voting members shall consist of the Director of Facilities Management, the Chair of the Department of Architecture and Landscape Architecture, the Assistant to the Director of the North Dakota Agricultural Experiment Station, and a representative of the Dean of Libraries.

3. Committee responsibilities include:

   a. Provide for the systematic development and review of the "Campus Master Plan" and Guidelines for Campus Development.

   b. Recommending policies and procedures to meet the current and future needs for all physical facilities and reviewing changes in University space allocation including classrooms and laboratories.

   c. Reviewing proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.

   d. Recommending policies for site location for new buildings and for overall landscaping.

   e. Recommending traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.

   f. Recommending plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Membership shall consist of one faculty member from each representation unit, one undergraduate and one graduate student appointed by the Student Government, a staff member appointed by the Staff Senate, a representative from Information Technology Services, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, and the Dean of Libraries.

2. Committee responsibilities include:
    a. Formulating policy recommendations for the NDSU Libraries.

Section 4. University Athletics

1. Membership consists of one faculty member from each representation unit, two students, the Student Body Vice-President, the President of the Student-Athletes Advisory Council, two representatives of the Staff Senate, the Director of Intercollegiate Athletics~~, the Director of Intercollegiate Women's Athletics,~~ ~~the Title IX Co-ordinator (or designee)~~ ~~the Vice President for Equity, Diversity, and Global Outreach (or designee)~~ Senior Women's Administrator, and the Faculty Athletic Representative.
2. The University Athletics Committee serves as the NDSU Athletics Advisory Board as described in the constitution of the National Collegiate Athletics Association (NCAA).
3. Committee responsibilities include:
    a. Promoting compliance with principles of conduct as defined by the NCAA.
    b. Acting as the Board of Appeals for athletic grievances.
    c. Initiating and reviewing policies concerning University Athletics and making recommendations for consideration of said policy to the Faculty Senate. Such areas of

concern include Guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, eligibility of athletes.

d. Reviewing upcoming issues at intercollegiate conference meetings and recommending institutional positions.

e. Reviewing the budget of the athletic programs prior to its approval by the University President.

f. Stimulating interest in athletic events throughout the University community.

Section 5. Equal Opportunity Hearing Panel

1. Membership shall consist of six faculty members appointed by the Faculty Senate President in consultation with the Senate Executive Committee, six students appointed by the Student Government President, and six Staff members appointed by the Staff Senate President.
2. Each President shall strive for diverse representation (gender, ethnicity, etc) in her/his group of appointees.
3. Committee responsibilities include:

   a. Acting in accordance with procedures and policy approved by the Senate, specifically Policy 156.

Section 6. University Assessment

1. Membership shall consist of one faculty member from each representation unit, a representative from the General Education Committee, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, the Provost (or designee), one undergraduate student, and one graduate student appointed by the Student Government, a representative from the Division of Student Affairs, a representative from the NDSU Extension Service, a representative from the Office of Institutional, Research and Analysis, a representative from Distance and Continuing Education, and the Director of the Office of Accreditation and Assessment.
2. Committee responsibilities include:

   a. Periodically reviewing the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and in the NDSU Extension Service.

   b. Developing procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs, and the NDSU Extension Service on their assessment activities.

   c. Providing feedback and assistance to departments and other academic units on their assessment activities.

d. Providing a yearly summary of assessment activities to the Faculty Senate, The Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

Article VI: Amending the Bylaws

Section 1.
Amendments to the bylaws may be proposed by the Faculty Senate or by a petition signed by twenty-five percent of the Faculty. At a meeting of the Faculty Senate where the amendment is proposed, a vote will be cast to determine whether to consider the amendment at the next regular Faculty Senate meeting. If two-thirds of the votes cast are in favor of the bylaws change will be added to the agenda for the next regular meeting of the Faculty Senate.

Section 2.
The Secretary of the Faculty Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Faculty Senate votes to consider the amendment at their next regular meeting.

Section 3.
At the next regular meeting of the Faculty Senate, if approved by two-thirds of the ballots cast, the change will be submitted to the University President.

Section 4.
When approved by the University President the changes shall become effective immediately.

Policy 352 Version 1 2-1-2016

Policy Change Cover Sheet

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

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

SECTION: Section 352 5.1 and 5.3 – Promotion, Tenure and Evaluation: COMPOSITION OF PTE COMMITTEES

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change:

Sec. 5.1: Prevents any faculty member from casting two votes for the same candidate – one at the department level and one at the college level – by limiting service to either the department or the college PTE committee. Sec. 5.3: Clarifies types of administrative appointments for which service on PTE committees is not allowed.

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: ad hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 2-1-2016
   - Email address of the person who should be contacted with revisions: Alan.Denton@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 352
PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.

1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University, college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.

1.3 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

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

2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience.

2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off- campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

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

2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;

2.2.1.1.2 the continuous improvement of courses or instructional programs;

2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.

2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:

2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;

2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;

2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;

2.2.1.2.4 the dissemination of best practices in teaching;

2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

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

2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.

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

2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;

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

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

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

2.2.2.2.5 the receipt of awards or special recognition for research ;

2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

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

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

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

2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:

2.2.3.2.1 the receipt of awards or special recognition for service;

2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;

2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

2.2.3.2.4. active participation and leadership in University governance and programs at the department, college, university and system levels;

2.2.3.2.5. effective management or improvement of administrative procedures or programs.

2.2.3.2.6 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;

2.2.3.2.7 contributions to the operation of state or federal agencies.

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

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

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

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

3.3. For probationary faculty, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit which were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured candidates for promotion to professor shall be evaluated by the criteria in effect at the time of application.

3.4. Faculty Hired Without Previous, Relevant Experience

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

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum (from one to three) years of tenure credit offered.

There are two options:

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

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

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

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

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

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

3.6.2 Extension of Probationary Period for Personal Illness or Disability

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

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.

3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form.

3.6.4.6 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

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

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

Related Policies and Procedures:

Policy 156. Equal Opportunity Grievance Procedures (http://www.ndsu.edu/fileadmin/policy/156.pdf)

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

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

NDSU HIPAA Security Procedures- see http://www.ndsu.edu/general_counsel/hipaa/

Authorization for Release of Information: http://www.ndsu.edu/fileadmin/generalcounsel/Forms-HIPAA/Authorization_for_Release_of_Information_01.doc

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

4. PERIODIC REVIEW

4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.

4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.

4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.

4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.

4.5 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review period. For probationary faculty, the report shall include an assessment of the faculty member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward

tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.

4.6 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.

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

5. COMPOSITION OF PTE COMMITTEES

5.1. Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time. College PTE committee members may not serve on any department/school PTE committee in their college.

5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Faculty members being considered for promotion may not serve while under consideration.

5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic a~~A~~dministrative appointment" includes appointments as President, ~~Vice President, Associate or Assistant Vice President, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, or Director of an academic unit.)~~ Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and~~/or~~ do not evaluate other faculty are eligible to serve.

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6. PTE PROCEDURES

6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them,

to the College Dean and the College's PTE Committee no later than November 1.

6.2 After November 1, the information that may be added to the portfolio is limited to
a) Recommendations by the evaluating units considering the portfolio at that time;
b) the candidate's response to those recommendations;
c) any materials requested by the evaluators.

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

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

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

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

6.5 Allegations of misconduct discovered after November 1 that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.

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

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

6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.

6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.

6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a

recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.

6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.

6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.

6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.

7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

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

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015
Amended	January 27, 2016

Policy 325 Version 1 *01/12/16*

Policy Change Cover Sheet

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

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

SECTION: 325 Academic Freedom

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ☐XX No
   - Describe change: One change clarifies what academic freedom is, whereas the second change includes language to be put into syllabi as per Faculty Senate ad hoc committee.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted Dennis Cooley/Faculty Senate 325 ad hoc committee. 1/12/2016
   - Email address of the person who should be contacted with revisions: Dennis.Cooley@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

The formatting of this policy will be updated on the website once the **content** has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting,

please route them to ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

North Dakota State University
Policy Manual

SECTION 325
ACADEMIC FREEDOM

SOURCE: SBHE Policy Manual, Section 401.1

1. General principles: The primary responsibility of the academic community is to provide for the enrichment of intellectual experience. Essential to the realization of this ideal is a free and open academic community which takes no ideological or policy position itself.

~~The responsible academic community welcomes those who do take an ideological or policy position and zealously guards their right to do so. Conflict of ideas cannot occur unless there is opportunity for a variety of viewpoints to be expressed. Toleration of what may be error is an inescapable condition of the meaningful pursuit of truth. The academic community must be hospitable even to closed minds and it must welcome the conflict of ideas likely to ensue.~~
Academic responsibility to provide opportunity for expression of diverse points of view generates academic freedom. However, academic freedom entails responsibility. During academic discourse, faculty and students are responsible for being informed, courteous and respectful of others. The responsible academic community welcomes those who do take an ideological or policy position and zealously guards their right to do so. Conflict of ideas cannot occur unless there is opportunity for a variety of viewpoints to be expressed. Toleration of what may be error is an inescapable condition of the meaningful pursuit of truth. The academic community must be hospitable even to closed minds and it must welcome the conflict of ideas likely to ensue.

2. Faculty: Faculty are entitled to full freedom in research and in the publication of results subject to the adequate performance of their other academic duties. Faculty members are entitled to full freedom in presenting course content including, but not limited to, selection of course approach, course content, reference materials, conduct of lectures and conducting demonstrations in their disciplinary subject and field of competence, making assignments and examinations, and assessing student performance and assigning grades.~~They are also entitled to freedom in lecturing or conducting demonstrations in their subject or field of competence~~. They are entitled as any other member of the community in which they live to establish membership in voluntary groups, to seek or hold public office, to express their opinions as individuals on public questions and to take action in accordance with their views.

Cognizant of their responsibilities to their profession and to their institution, faculty accept certain obligations; they should attempt to be accurate, to exercise sound judgment and respect the right of others to express opinions. They must make clear that their actions, statements and their memberships do not necessarily represent the views of the academic community. If there are controls to be exercised over faculty members, they are the controls of personal integrity and the judgment of their colleagues.

3. Students: Students are entitled to be taught by unfettered teachers and to have access to all information pertinent to their subjects of study. They are entitled to as complete freedom as possible in selection of their curriculum, their teachers, and their associates. Moreover, they have a right to intellectual disagreement with their instructors and their associates and to question them without fear or recrimination or punishment. Students have a right to access all information relevant to any academic discussion and to express their views without fear of ridicule, recrimination, or reprisal

They are also entitled to seek the publication of their views, to seek membership in voluntary groups, to seek or hold public office, and to take lawful action in accordance with their views. Students also have the responsibility to make clear that their actions, membership and statements do not represent the views of the academic community.

4. Guest speakers, movies, and other programs: A college or university by its very nature cannot pay lip service to the concept of freedom of expression and then deny persons with whom it is in disagreement the opportunity of giving expression to their views. Furthermore, a policy that extends the right of freedom of expression to some persons and denies it to others, places the institution in the position of endorsing the past record and views of those who are given permission to speak. Therefore, a speaker, performer, or program may be presented under the sponsorship of any duly recognized student, faculty, or administrative organization or any individual officer of instruction. It is not necessary that the point of view presented be congenial to the campus, members of the staff or student body individually, or to individual members of the wider community. The speaker must be accorded the courtesy of an uninterrupted presentation. Except for ceremonial occasions, speakers must accept as condition of their appearance the right of their audience to question or challenge statements made in their address. Questions must be permitted from the floor unless prevented by physical limitations, or the size of the audience. The invitation or scheduling of such a program must represent the desire of the institutional sponsor and not the will of external individuals or organizations. The sponsor must establish full responsibility for the program and should help to establish the concept that the point of view expressed in an address or performance does not necessarily represent the position of the academic community. Such presentations must at all times be consistent with the laws of North Dakota and the United States.

5. The following shall be placed in all course syllabi: Academic freedom is the principle upon which thought and understanding are advanced in academic settings. Academic freedom provides a safe haven for the expression of diverse points of view by both faculty and students. Faculty members are entitled to full freedom in presenting course content including, but not limited to, selection of course approach, course content, reference materials, conduct of lectures and conducting demonstrations in their disciplinary subject and field of competence, making assignments and examinations, and assessing student performance and assigning grades. Students have a right to access all information relevant to any academic discussion and to express their views without fear of ridicule, recrimination, or reprisal. However, academic freedom entails responsibility. During academic discourse, faculty and students are responsible for being informed, courteous and respectful of others. For further information on academic freedom see NDSU Policy 325 at http://www.ndsu.edu/fileadmin/policy/325.pdf.

HISTORY: New May 11 1984
Amended April 1992

Minutes from 9 February 2015 FS meeting
Academic Freedom (Attachment 9, L. Del Rio Mendoza, for discussion and vote)

- Academic Affairs revised the academic freedom statement based on the suggestions offered last year.
- The question was asked if this statement was required as part of the syllabus policy (331.1). Del Rio Mendoza indicated that it was.
- Provost Ingram questioned what was meant by the term "full freedom"
- There seemed to be some confusion that could not be resolved as to whether this statement was to be part of policy for Course Syllabus (331.1) or Academic Freedom (325)
- Provost Ingram indicated that the academic freedom statement was not consistent with policy 325
- Del Rio Mendoza indicated this statement was to serve as a suggested statement for course syllabi. As a result of this, a motion was made by Cooley that this statement go through normal committee channels and integrate into syllabus policy before coming forward to Senate for a vote. This was seconded by Johnson.
- Another question was raised asking if the goal was for the committee to revise the academic freedom statement. It was clarified that the committee was asked to define a statement on academic freedom that could be recommended for inclusion on the syllabus. It was questioned why a statement of academic freedom is needed for the syllabus. Sather-Wagstaff reminded the Senate that the syllabus is the contract with the student and as such certain items need to be addressed on the syllabi for student awareness.
- It was determined that a vote of the statement could not be made but rather if this was to be a suggested statement as part of syllabi, then this statement should be sent through the proper channels for integration into syllabus policy.

MOTION (Cooley/Johnson): The academic freedom statement as distributed be sent through the normal committee channels for integration

Revised Academic Freedom Statement
Academic freedom is the principle upon which thought and understanding are advanced in academic settings. Academic freedom provides a safe haven for the expression of diverse points
of view by both faculty and students. Faculty members are entitled to full freedom in conducting

their courses, including, but not limited to, the selection of the mode of information delivery, methods of evaluation, demonstration in their subject or field of competence, and assignment of grades. Students have a right to access all information relevant to any academic discussion and to express their views without fear of ridicule, recrimination, or reprisal. However, academic freedom entails responsibility. During academic discourse, faculty and students are responsible for being informed about the subject matter and for respecting others. For further information on academic freedom see NDSU Policy 325 at http://www.ndsu.edu/fileadmin/policy/325.pdf. The motion was to pass it as a recommended (not required) statement for syllabi and that colleges and departments should determine if they want to require it on their syllabi.

Current 325 policy and procedure:

North Dakota State University Policy Manual

SECTION 325 ACADEMIC FREEDOM

SOURCE: SBHE Policy Manual, Section 401.1

1. General principles: The primary responsibility of the academic community is to provide for the enrichment of intellectual experience. Essential to the realization of this ideal is a free and open academic community which takes no ideological or policy position itself. The responsible academic community welcomes those who do take an ideological or policy position and zealously guards their right to do so. Conflict of ideas cannot occur unless there is opportunity for a variety of viewpoints to be expressed. Toleration of what may be error is an inescapable condition of the meaningful pursuit of truth. The academic community must be hospitable even to closed minds and it must welcome the conflict of ideas likely to ensue. Academic responsibility to provide opportunity for expression of diverse points of view generates academic freedom.

2. Faculty: Faculty are entitled to full freedom in research and in the publication of results subject to the adequate performance of their other academic duties. They are also entitled to freedom in lecturing or conducting demonstrations in their subject or field of competence. They are entitled as any other member of the community in which they live to establish membership in voluntary groups, to seek or hold public office, to express their opinions as individuals on public questions and to take action in accordance with their views.

Cognizant of their responsibilities to their profession and to their institution, faculty accept certain obligations; they should attempt to be accurate, to exercise sound judgment and respect the right of others to express opinions. They must make clear that their actions, statements and their memberships do not necessarily represent the views of the academic community. If there are controls to be exercised over faculty members, they are the controls of personal integrity and the judgment of their colleagues.

3. Students: Students are entitled to be taught by unfettered teachers and to have access to all information pertinent to their subjects of study. They are entitled to as complete freedom as

possible in selection of their curriculum, their teachers, and their associates. Moreover, they have a right to intellectual disagreement with their instructors and their associates and to question them without fear or recrimination or punishment. They are also entitled to seek the publication of their views, to seek membership in voluntary groups, to seek or hold public office, and to take lawful action in accordance with their views. Students also have the responsibility to make clear that their actions, membership and statements do not represent the views of the academic community.

4. Guest speakers, movies, and other programs: A college or university by its very nature cannot pay lip service to the concept of freedom of expression and then deny persons with whom it is in disagreement the opportunity of giving expression to their views. Furthermore, a policy that extends the right of freedom of expression to some persons and denies it to others, places the institution in the position of endorsing the past record and views of those who are given permission to speak. Therefore, a speaker, performer, or program may be presented under the sponsorship of any duly recognized student, faculty, or administrative organization or any individual officer of instruction. It is not necessary that the point of view presented be congenial to the campus, members of the staff or student body individually, or to individual members of the wider community. The speaker must

be accorded the courtesy of an uninterrupted presentation. Except for ceremonial occasions, speakers must accept as condition of their appearance the right of their audience to question or challenge statements made in their address. Questions must be permitted from the floor unless prevented by physical limitations, or the size of the audience. The invitation or scheduling of such a program must represent the desire of the institutional sponsor and not the will of external individuals or organizations. The sponsor must establish full responsibility for the program and should help to establish the concept that the point of view expressed in an address or performance does not necessarily represent the position of the academic community. Such presentations must at all times be consistent with the laws of North Dakota and the United States.

Academic Affairs Committee

1. Voting members shall consist of one tenured faculty member from each of the representation units, a tenured faculty representative appointed by the Dean of the College of Graduate and Interdisciplinary Studies, and two students – one graduate and one undergraduate - appointed by the Student Government. The Provost and Registrar shall each appoint one non-voting representative.

    a. Terms shall be four years. Voting members shall not serve consecutive terms. Terms shall be staggered so that no more than one-third of the members are new.
    b. One faculty member will be elected as chair. Neither the Provost's nor Registrar's representative shall serve as chair.
    c. The chair shall have served at least one year on the committee.
    d. Each representation unit shall also select an alternate faculty member to serve in case of recusal or absence.

2. Committee responsibilities are:

    a. Developing criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.
    b. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges.
    c. Overseeing the general education program, including:
        - Validating/revalidating courses and experiences to ensure that general education outcomes are met.
        - Coordinating periodic assessment of students' attainment of intended student outcomes in general education.

    d. Requesting the formation of ad hoc Faculty Senate committees to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed*, and*
    e. Performing other appropriate duties as assigned by the Faculty Senate.

Suggested process

The Committee should focus on moving proposals efficiently through the approval process. Only substantive errors or conflicts in the proposal should be addressed.

Recommendations for Best Practices

1. To expedite the process, proposals should not be re-reviewed more than is absolutely necessary. Below we have listed the review focus at each stage of the process:

a. Department Curriculum Committee Review – Review for quality within the discipline, fit in the department's offerings, fit with the department's strategic planning, review course or program compatibility with the department's assessment plan.

b. College Curriculum Committee Review – Review for fit in the college's offerings and fit with the college's strategic planning. (Not reviewed for quality unless cause is shown.)

c. Academic Affairs Committee Review – review according to clearly articulated policy requirements.

2. Templates for each proposal or measure should include all elements that will be evaluated during the process.

It would be helpful to say who will be evaluating what in the template.

If a requirement is lacking or vague, the review shall be determined in the favor of the proposal.

Components irrelevant to the review, such as office hours, instructor name, and so on, will not be required for the review. The templates can have placeholders for these pieces of information.

NDSU Faculty Senate

3:30 pm, 21 March 2016

Prairie Rose, Memorial Union

Agenda

I. Call to Order

II. Attendance

III. Approval of 22 February 2016 minutes

IV. Consent agenda
   a. Academic Affairs Committee Report (attachment 1)
   b. Policy changes (All housekeeping changes/information only)

V. Announcements
   a. Dean Bresciani, President
   b. Beth Ingram, Provost
   c. Dennis Cooley, Faculty Senate President
   d. Katie Gordon, Faculty Senate President-Elect
   e. Gennifer Sprecher, Staff Senate President

VI. Senate Committee Reports
   a. Faculty Senate Bylaws Committee (attachment 2)
   b. CCF – Gina Kelley

VII. Unfinished Business
   a. Policy 327 – Evaluation of Deans et al. (attachment 3)
   b. Policy 352 – Composition of PTE (attachment 4) – Alan Denton – for input and vote

VIII. New Business
   a. Dr. Lisa Feldner – NDUS – Discussion of NDSU and NDUS servers in light of current law.
   b. Bylaws change (attachment 5)
   c. IQAOC – Dogan Comez (attachment 6) – merging Academic Affairs and General Education committees
   d. Records Retention – Carol Cwiak and Theresa Semmens
   e. Campus Safety and Security Committee – Carol Cwiak

IX. Adjourn

Academic Affairs Committee Report
For Faculty Senate Meeting on March 21, 2016

New Program Option
Bachelor of Science in Nursing – RN to BSN Option

Program Changes
Bachelor of Arts and Bachelor of Science – Biological Sciences Standard Option: restructuring of major
Bachelor of Science – Dietetics: changing the required chemistry courses based on accreditation guidelines

New Courses

Subject	No.	Title	Crs.	Effective Term
BIOL	252	Plant and Animal Diversity	3	Fall 2016
CJ	270	Introduction to Corrections	3	Spring 2017
CJ	315	Federal Law Enforcement & Crime Policy	3	Fall 2016
ECE	476/676	Advanced Embedded Systems	4	Fall 2016
HIST	415/615	Public Memory and Memorialization in America	3	Fall 2016
HIST	428/628	War and Society in Early America	3	Summer 2016
HNES	719	Public Health Nutrition	3	Summer 2016

Course Changes

From:				***To:***				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
BOT	314	Plant Systematics	3	BOT	**414**	Plant Systematics	3	Fall 2016
CJ	230	Criminology and Criminal Law	3	CJ	230	**Criminology**	3	Fall 2016
CJ	330	Criminal Law and Procedure	2	CJ	330	Criminal Law and Procedure	**3**	Fall 2016
HIST	421/621	U.S. History 1763-1829	3	HIST	421/621	**Revolutionary America**	3	Fall 2016
ZOO	280	Comparative Chordate Morphology	4	ZOO	**410**	Comparative Chordate Morphology	**3**	Fall 2016
ZOO	380	Vertebrate Histology	3	ZOO	**444**	Vertebrate Histology	3	Fall 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions

Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
BOT	414	Plant Systematics	Desc: Plant identification, nomenclature and classification are aspects of plant systematics. Modern plant systematics uses molecular approaches in addition to visual traits such as morphology to order plants in accordance with our current understanding of evolution and the 'Tree of Life'. The course includes outdoor activities to learn plant identification as long as the weather permits.	Fall 2016
CM&E	403	Scheduling and Project Control	Prereq: CM&E 380 and junior standing in Construction Management or Construction Engineering program	Fall 2016
CM&E	488	Construction Management Capstone	Desc: This course focuses on applying knowledge and skills learned in the previous courses, a look into construction management processes, interactions, marketing, estimating, scheduling, and other functions for a management plan for a construction project. Students are required to take the Associate Constructor (AC) Exam to demonstrate their knowledge in the construction management area. Prereq: CM&E 380, CM&E 403 and senior standing in the Construction Management program	Fall 2016
CM&E	489	Construction Design Capstone	Desc: This course focuses on the design and construction aspects of an actual construction project. Students are required to take the Fundamentals of Engineering (FE) Exam to demonstrate their knowledge in the construction engineering area. Prereq: CM&E 380, CM&E 403 and senior standing in Construction Engineering	Fall 2016
HIST	421/621	Revolutionary America	Desc: This course examines the causes, process, and effects of the American Revolution from roughly 1763 through 1829. Among other topics, lectures and readings will consider how British authority collapsed, and gender hierarchies, the contested creation of a new republic in its wake, and the economic and social development of the United States in its formative decades.	Fall 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions (continued)				
MATH	721	Algebra II	Desc: Graduate level survey of algebra: groups, fields, Galois theory, and selected advanced topics. Prereq: MATH 720	Fall 2016
STAT	462	Introduction to Experimental Design	Desc: Fundamental principles of designing an experiment, randomized block, Latin square, and factorial. Also covers analysis of covariance and response surface methodology. The class is designated as an undergraduate capstone course. Prereq: STAT 461 and Senior standing	Fall 2016
ZOO	410	Comparative Chordate Morphology	Desc: This is a combination lecture/lab course designed to introduce you to the systematics, history, and structure of the chordates, particularly the craniates. Structural and functional similarities and differences among organs and organ systems of representative organisms as well as the use of comparative morphology as a tool to better understand the process of chordate evolution will be emphasized. Prereq: BIOL 150, BIOL 150L, BIOL 151, BIOL 151L, BIOL 252.	Fall 2016
ZOO	444	Vertebrate Histology	Desc: Study of microscopic anatomy of vertebrate tissues and organs, especially mammals. Classification and identification of epithelium, connective, muscle, and nervous tissue types. Study of these tissues types in the context of major organ systems (circulatory, lymphoid, endocrine, integumentary, digestive, urinary, and respiratory). Prereq: BIOL 150, BIOL 150L, BIOL 151, BIOL 151L	Fall 2016

Course Inactivations				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
CJ	225	Punishment and the Death Penalty	1	Fall 2016
CJ	226	Criminal Investigation	2	Spring 2017
MATH	101	Elementary Algebra	3	Summer 2016
NURS	240	Nursing as a Scholarly Profession	3	Summer 2016
NURS	340	Leadership & Ethical Reflection	2	Summer 2016
NURS	430	Nursing Management	2	Summer 2016
NURS	440	Nursing Issues & Career Development	2	Summer 2016

Bylaws

Article I: Faculty Senate Membership

Section 1.
Each representation unit shall have one elected senator for every fifteen eligible faculty (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the Fargo Campus as of October 1 of each year. Faculty members in the 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, professors of practice, research faculty, assistant, associate, and 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 Faculty Senate seats:

a. College of Agriculture, Food Systems, and Natural Resources
b. College of Arts, Humanities, and Social Sciences
c. College of Business
d. College of Engineering
e. College of Human Development and Education
f. College of ~~Pharmacy, Nursing, and Allied~~ Health ~~Sciences~~Professions
g. College of Science and Mathematics

Section 4.
The Faculty Senate President with the assistance of the Secretary of the Senate will stagger Senate terms so that approximately 1/3 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.

Section 5.
Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected senator shall be three years. Senators cannot be reelected for consecutive terms.

Section 6.
If a senator must vacate her or his seat, the vacancy shall be filled by a special election within the unit from which she or he was elected. The term of a member under these circumstances shall

commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

Section 7.
A senator may be removed from office by way of a two-thirds majority vote at a regular Faculty Senate meeting, followed by a 2/3 majority vote at the next meeting. ~~.~~This action may never be part of a consent agenda. In the event a senator is removed, the Faculty Senate 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 Faculty Senate meetings. If unable to attend the meeting the senator must find a competent substitute (who is not already a senator) to act as her or his proxy at the meeting. Said proxy will have all rights and privileges accorded a regular senator. The senator must provide signed notification of the substitution to the Secretary of the Faculty Senate prior to start of the meeting.
2. Prepare for Faculty 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 Faculty Senate.
4. Disseminate Faculty Senate information to their individual representation units.
5. Gather opinions and other information from their representation units concerning Faculty Senate activity.
6. Show proper decorum during meetings.

Article II: Organization and Faculty Senate Operation

Section 1.
Administrative officers of the Faculty 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 Faculty Senate at the last~~April or May~~ meeting of the Faculty Senate in the academic year. The President-Elect will be elected from the roster of current or former 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 President as a replacement for the position of Immediate Past President.

Section 4.
During their respective terms the President-Elect~~ and~~, the President and the Immediate Past President will not represent their~~her or his~~ representation units in the Senate.

Section 5.
The authority of the President, President Elect or Immediate Past President will be terminated before the end of its term if he/she loses the eligibility, voluntarily resigns with eligibility or is removed from office by the Senate with/without eligibility.

1. Voluntary resignations shall be tendered before the Senate at its regular meetings.
2. Removal of the President~~ or~~, President-Elect or Immediate Past President by the Senate requires a 2/3 vote at a regular Senate meeting, followed by a 2/3 vote at a special meeting of the Senate convened in not more than 2 weeks after the first meeting. The second meeting will be convened and presided by a Special Returning Officer who will be appointed by the Senate immediately after the first vote. The removed officer shall not complete his/her term as a Senator.
3. In the event that the authority of the President is terminated ~~President is removed or unable to complete their term out of their own decision~~ but the President-Elect is still in good standing, the~~, the~~ President-Elect will assume the role of President ~~and will continue as President~~ to finish the term left by the removed President and then he/she will start his/her originally elected term.
    a. The removed president will not serve as Immediate Past President. ~~until the~~
    b. ~~President-Elect's ori ginal term i s concluded .~~ The assumed President may wish to appoint one of the senators to assist in the duties of the President-Elect. This appointment does not necessarily imply automatic elevation to the full position of President-Elect at the end of the term.
4. In the event that the authority of the President-Elect is terminated~~removed~~ ~~of unable to complete their term out of their own decision~~, 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 he/she will convene and preside the Senate meeting to elect a new President and the President-Elect in not more than two weeks.
    ~~a.~~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 of the election of the President and the President-Elect in not more than two weeks. Section 5.5 above will then be used to fill the position of the Immediate Past President.

~~The removed officer shall not complete her or his term as a Senator~~.

Section 6.
Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Faculty 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 Faculty Senate on administrative councils.
9. Provide the Secretary of the Senate and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Submit policies or actions approved by the Faculty Senate to the University President for consideration.
11. Moderate the official faculty listserv.

Section 7.
Duties of the President-Elect shall include the following:

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

Section 8
Duties of the Immediate Past President shall include the following:

1. Advisee 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 the senate regular meetings in the absence of both the President and the President-Elect.
3. Serve on the Senate Executive Committee.

Section ~~8~~9.
The University Registrar shall be the Secretary of the Senate; the Secretary of the Senate 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 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, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.
8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.
10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.

Section ~~9~~10.
Regular meetings of the Senate shall be held at 3:30 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or state holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 11~~0~~.
Special meetings may be called by the President or on petition of one-third of the membership of the Senate.

Section 12~~1~~.
Meetings of the Faculty Senate shall be open to the public. At each Senate meeting the President of the University, the Provost, the Student Body President, and the Staff Senate President will be invited to make announcements. The Faculty Senate 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 ~~12~~13.
Faculty Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Faculty Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

Section 13~~3~~4.
The primary business of the Faculty Senate is to review, propose, and approve of policy with respect to the following matters:

a. Academic freedom, including rights and responsibilities.
b. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
c. Research and scholarship.
d. Admissions standards and prerequisites.

e. Requirements for regular certificates and degrees.

f. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.

g. Teaching quality.

h. Professional standards and criteria for positions accorded academic rank.

i. Policies and procedures for promotion, tenure, and evaluation.

j. And other academic matters.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Committee and other reports.

~~5.~~6. Unfinished business.

~~6.~~7. New business.

~~7.~~8. Adjournment.

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

1. Adoption of the agenda

~~1.~~2. Approval of the minutes of the previous meeting.

~~2.~~3. Announcements.

~~3.~~4. Consent agenda.

~~4.~~5. Planning and prioritizing Faculty Senate action for the year.

~~5.~~6. Adjournment.

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

Section ~~14~~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 ~~15~~16.
The minutes of the meeting shall be posted to the Senate website by the Secretary within one week after the meeting.

Article III: Senate Committees

Section 1.
Duties of standing committees include:

1. Selecting a chair who will serve as a liaison to the Faculty Senate.
2. Initiating and reviewing policy and policy changes in their areas of responsibility.
3. Providing their recommendations to the Faculty 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 Faculty 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 Faculty Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress (5 minutes) at the May meeting of the Faculty Senate or, at the President of the Faculty Senate's request, 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. Such membership shall be presented to the Faculty Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last senate meeting of spring semester, unless otherwise specified.

Section 5.
After the Faculty 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.

Section 6.
All Faculty Senate committee action is subject to review and approval by the Senate.

Section 7.
The Faculty Senate may create special committees as it deems necessary. Such committees shall be discharged upon the completion of their assigned duties. The duties of a special committee should not duplicate work being done by or usurp the responsibility of a standing committee without approval by said standing committee. Special committees shall be commissioned by a majority vote of the full Senate.

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the~~Graduate School designated by the~~ Dean~~ of Graduate and Interdisciplinary Studies~~, and two students.
2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.
3. Committee responsibilities include:
    a. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
    b. Recommending policies for the evaluation of transfer credit
    c. Recommending policies for graduation
    d. Recommending candidates for graduation
    e. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 2. Academic Integrity

1. Membership shall consist of one tenured faculty member with the rank of professor from each representation unit. If a full professor is not available, an associate professor may be appointed.
2. Committee responsibilities include:
    a. Providing investigative assistance on cases involving academic misconduct as described in Policy 326.
    b. Selecting panels of three persons competent to investigate allegations; such panels may include members from outside the University.
    c. Reviewing and recommending policies on academic integrity.

Section 3. Budget

1. Voting members shall consist of one faculty from each representation unit, and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance (or designee).
3. Committee responsibilities include:
    a. Becoming familiar with the university budget process.
    b. Developing a set of guiding principles which align with strategic priorities, with the intent of informing university budget decisions from a faculty perspective.

c. Soliciting 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. Acting as a conduit of information between faculty and administration for budget discussions and decisions.

Section 4. Conflict of Interest Advisory

1. Committee membership shall consist of five tenured faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President.
2. No two committee members may have primary appointments in the same representation unit.
3. Committee responsibilities include:
    a. Serving as an advisory body to the administration on the issue of Conflict of Interest.
    b. Initiating and reviewing policies concerning Conflict of Interest and making recommendations regarding such policy at the Faculty Senate.
    c. Hearing and ruling on appeals of decisions in conflict of interest cases.
    d. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 151.1.
4. In the event that a member of the committee recuses himself/herself 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.

Section 5. Council of College Faculties

1. Membership shall consist of three faculty members elected to staggered three-year terms.
2. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Council of College Faculties.
3. Responsibilities and procedures of the Council of College Faculties are determined by the Constitution and Bylaws of the Council.

Section 6. Equity and Diversity

1. Voting membership shall consist of five faculty members and a faculty representative from the Commission on the Status of Women Faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President. The Executive Committee shall strive for representation from diverse groups.
2. Non-voting membership shall consist of ~~a representative from~~ the Vice Provost for Faculty Advancement (or designee) ~~office of the Vice President for Equity, Diversity, and Global Outreach~~.
3. Committee responsibilities include:
    a. Reviewing, revising and proposing 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, and sexual minorities (e.g., lesbian, gay, bisexual, or transgendered).

Section 7. Executive Committee of the Faculty Senate

1. Voting membership shall consist of one senator from each representation unit, the President, the immediate Past President, and the President-Elect. ~~In the event the immediate Past President is unable or unwilling to serve, the President will appoint another past President as a replacement for the immediate Past President on the committee~~. The term of office shall be for one year following the regular May meeting.
2. Non-voting membership shall consist of a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, a faculty representative from the Commission on the Status of Women Faculty, the Faculty Senate Secretary, and the parliamentarian. The term of office of all members of Executive Committee shall be for one year following the regular May meeting.
3. During the first week of the fall semester, the Executive Committee shall meet and organize for the academic year.
4. Committee responsibilities are the following:
    a. Delegating tasks to Faculty Senate committees.
    b. Reviewing the progress of Faculty Senate committees.
    c. Setting the agenda for upcoming Faculty Senate meetings.
    d. Interpreting, when necessary, provisions of the Faculty Senate Constitution and Bylaws.

Section 8. Faculty Affairs

1. Membership shall consist of one faculty member from each representation unit, a non-voting faculty representative from the Commission on the Status of Women Faculty, and a nonvoting faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of from the Graduate School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Committee responsibilities include:
    a. Reviewing policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching and service.
    b. Reviewing and recommending revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.

Section 9. Faculty Pool for Administrative Search Committees

1. Membership shall consist of all active senators for the entirety of their term.

2. For each administrative search out of the Provost office, the Provost shall send a request to the Faculty Senate President listing the number of faculty members from the faculty pool the Provost will seat on the search committee.
3. The Faculty Senate President (or designee) shall ask the senators for nominations (from the pool) and hold a vote (among senators). A list with the names of the top candidates shall be generated. The number of candidates on this list shall be the number requested by the Provost plus one.
5. Once an adequate list of qualified candidates is created, that list shall be sent by the Faculty Senate President (or designee) to the Provost.
6. The Provost shall select from that list the number of faculty members she/he indicated are needed for that search committee.

Section ~~9~~10~~.~~ Faculty Rights

1. Membership, responsibilities, and procedures are determined by directives of the North Dakota State Board of Higher Education.
2. Membership consists of five members, from different representation units, elected for five-year terms by the faculty. Membership is restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
3. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Standing Committee on Faculty Rights. Committee members' terms will begin and end on August 15.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case, preferably a faculty member who has previously served on the committee. Broad representation, while a worthwhile goal, is not always achievable. However, the replacement member should be from a different representation unit than the other four members if reasonably possible.
5. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.

Section 11~~0~~. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.
2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, and the Provost (or designee).
3. Committee responsibilities include:
    a. Ensuring that existing courses and experiences meet general education requirements.
    b. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.

c. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.

d. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.

e. Providing periodic assessment of students' attainment of intended student outcomes in general education.

f. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.

g. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 12~~1~~. Grade Appeals Board

The purpose of this Board is to provide an avenue for students to challenge any grade they believe to have been unfairly assigned. Membership shall consist of one faculty member and one alternate from each representation unit, the Associate Vice-President of Academic Affairs, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by of the Dean of Graduate and Interdisciplinary Studies~~, three students and three student alternates selected by the Student Government. The Associate Vice-President of Academic Affairs will serve as Board Chair, and Policy 337 governs process.

1. Faculty shall be elected for three-year terms by their representation unit.

Students should be full-time students with a minimum 2.00 cumulative grade point average and junior standing.

3. Committee responsibilities include:
    a. Hearing charges of inequitable or prejudiced academic evaluations and to provide redress for improper evaluation.
    b. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 337.

Section 13~~2~~. Program Review

1. Membership shall consist of one tenured faculty member from each representation unit, ~~the immediate past president of the Faculty Senate~~, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of the College of Graduate and Interdisciplinary Studies~~, a faculty representative of the Provost's Office designated by the Provost ~~(or designee)~~, and two students selected by the Student Government. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
2. Committee responsibilities include:
    a. Developing criteria and procedures for review of academic programs.
    b. Performing 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. Addressing concerns and making recommendation to the Faculty Senate regarding duplication of programs and courses.
    d. Recommending policies for University support to individual programs.
    e. Coordinating 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 14~~3~~. Research & Consulting

1. Voting membership shall consist of one faculty member from each representation unit and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.
2. Non-voting membership consists of a representative of the Vice President for Research, Creative Activities, and Technology Transfer.
3. Committee responsibilities include:
    a. Initiating and reviewing policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.

Reviewing research development programs and providing technical and funding reviews for faculty proposals submitted to the development programs.

Section 154. Technology and Instructional Services Committee

1. Voting membership shall include one faculty member from each of the representation units and a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~.

   Non-voting membership shall include one representative from Information Technology Division~~Services~~ (IT).

2. Committee responsibilities shall include:

   a. an annual review of IT~~S~~ support services to the NDSU teaching and research communities.

   b. making recommendations for Faculty Senate approval of any changes proposed by the IT~~S~~ Division regarding policy, implementation procedures, or classroom and instructional technologies.

   c. formulating recommendations regarding needs of the faculty that are unmet by the IT~~S~~ Division.

   d. serving as the liaison between the Faculty Senate and the IT~~S~~ Division's administration.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership shall consist of two representatives each from the Faculty, Student, and Staff Senates, the Faculty Senate President, the Staff Senate President, and the Student Body President.

2. Non-voting membership shall consist of the Provost (or designee), the Vice President for Student Affairs (or designee), the Vice President for Finance and Administration (or designee), and representatives of one of these Vice President's offices, one of whom will facilitate meetings and one of whom will maintain records. The Vice President's offices will rotate responsibility for calling meetings and maintaining records every three to five years. The coordinating council may decide to invite policy initiators to the meetings as nonvoting members to explain policy changes.

3. Committee responsibilities include:

   a. Reviewing 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. Coordinating the distribution of policies to the appropriate senate body consistent with the Faculty Senate, Staff Senate, and Student Government Constitutions.

c. Sending policies that have been voted on to appropriate channels at NDSU for final approval.

d. Serving in a liaison capacity regarding the Faculty Senate, administration, Staff Senate, and Student Government.

Section 2. Campus Space & Facilities

1. Voting members shall consist of one faculty member from each representation unit, three staff members appointed by the Staff Senate, three student members (graduate, undergraduate, and on-campus) appointed by the Student Government, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of College of Graduate and Interdisciplinary Studies~~, the Provost (or designee), the Registrar, and the Vice President for Finance and Administration (or designee).

   Non-voting members shall consist of the Director of Facilities Management, the Chair of the Department of Architecture and Landscape Architecture, the Assistant to the Director of the North Dakota Agricultural Experiment Station, and a representative of the Dean of Libraries.

3. Committee responsibilities include:

   a. Provide for the systematic development and review of the "Campus Master Plan" and Guidelines for Campus Development.

   b. Recommending policies and procedures to meet the current and future needs for all physical facilities and reviewing changes in University space allocation including classrooms and laboratories.

   c. Reviewing proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.

   d. Recommending policies for site location for new buildings and for overall landscaping.

   e. Recommending traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.

   f. Recommending plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Membership shall consist of one faculty member from each representation unit, one undergraduate and one graduate student appointed by the Student Government, a staff member appointed by the Staff Senate, a representative from Information Technology Services, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, and the Dean of Libraries.

2. Committee responsibilities include:
    a. Formulating policy recommendations for the NDSU Libraries.

Section 4. University Athletics

1. Membership consists of one faculty member from each representation unit, two students, the Student Body Vice-President, the President of the Student-Athletes Advisory Council, two representatives of the Staff Senate, the Director of Intercollegiate Athletics~~, the Director of Inte rcoll e giate W omen's Athletic s,~~ ~~the Title IX Co-ordinator (or designee) the Vice President for Equity, Diversity, and Global Outreach (or designee)~~ S enior W omen's Admini strator , and the Faculty Athletic Representative.
2. The University Athletics Committee serves as the NDSU Athletics Advisory Board as described in the constitution of the National Collegiate Athletics Association (NCAA).
3. Committee responsibilities include:
    a. Promoting compliance with principles of conduct as defined by the NCAA.
    b. Acting as the Board of Appeals for athletic grievances.
    c. Initiating and reviewing policies concerning University Athletics and making recommendations for consideration of said policy to the Faculty Senate. Such areas of

concern include Guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, eligibility of athletes.

d. Reviewing upcoming issues at intercollegiate conference meetings and recommending institutional positions.

e. Reviewing the budget of the athletic programs prior to its approval by the University President.

f. Stimulating interest in athletic events throughout the University community.

Section 5. Equal Opportunity Hearing Panel

1. Membership shall consist of six faculty members appointed by the Faculty Senate President in consultation with the Senate Executive Committee, six students appointed by the Student Government President, and six Staff members appointed by the Staff Senate President.
2. Each President shall strive for diverse representation (gender, ethnicity, etc) in her/his group of appointees.
3. Committee responsibilities include:

   a. Acting in accordance with procedures and policy approved by the Senate, specifically Policy 156.

Section 6. University Assessment

1. Membership shall consist of one faculty member from each representation unit, a representative from the General Education Committee, a faculty representative of the College of Graduate and Interdisciplinary Studies designated by the Dean,~~a faculty representative of the Grad School designated by the Dean of Graduate and Interdisciplinary Studies~~, the Provost (or designee), one undergraduate student, and one graduate student appointed by the Student Government, a representative from the Division of Student Affairs, a representative from the NDSU Extension Service, a representative from the Office of Institutional, Research and Analysis, a representative from Distance and Continuing Education, and the Director of the Office of Accreditation and Assessment.
2. Committee responsibilities include:

   a. Periodically reviewing the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and in the NDSU Extension Service.

   b. Developing procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs, and the NDSU Extension Service on their assessment activities.

   c. Providing feedback and assistance to departments and other academic units on their assessment activities.

d. Providing a yearly summary of assessment activities to the Faculty Senate, The Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

Article VI: Amending the Bylaws

Section 1.
Amendments to the bylaws may be proposed by the Faculty Senate or by a petition signed by twenty-five percent of the Faculty. At a meeting of the Faculty Senate where the amendment is proposed, a vote will be cast to determine whether to consider the amendment at the next regular Faculty Senate meeting. If two-thirds of the votes cast are in favor of the bylaws change will be added to the agenda for the next regular meeting of the Faculty Senate.

Section 2.
The Secretary of the Faculty Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Faculty Senate votes to consider the amendment at their next regular meeting.

Section 3.
At the next regular meeting of the Faculty Senate, if approved by two-thirds of the ballots cast, the change will be submitted to the University President.

Section 4.
When approved by the University President the changes shall become effective immediately.

Policy Change Cover Sheet

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

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

SECTION: Policy 327- Evaluation of Academic Deans, Directors and Department Chairs and Heads

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ✓No
   - Describe change: adding Provost and FT Vice Provosts, Academic Vice Presidents, and FT Associate/Assistant Deans, to be evaluated under this policy; clarifying annual review and comprehensive review responsibilities; changing comprehensive review from every three years, to year three of initial appointment and every five years thereafter; streamlining evaluation criteria; separating evaluation procedure from policy.
   - Version 2 includes Faculty Senate recommendation to remove references to confidentiality in Section 5 under Procedure; the review cannot be confidential due to state requirements.

     Please note that the attached procedures are provided as information to accompany the policy changes and do not need to be voted upon.
2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: Commission on the Status of Women Faculty, working with the Office of the Provost – submitted 10-16-2015
   - Email address of the person who should be contacted with revisions: Karen.Froelich@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

SECTION 327
EVALUATION OF ACADEMIC ADMINISTRATORS~~ACADEMIC DEANS, DIRECTORS AND DEPARTMENT CHAIRS AND HEADS~~

SOURCE: NDSU President
Faculty Senate

1. **Introduction**

North Dakota State University believes every university employee deserves regular evaluation of his or her professional duties as they relate to a formal job description and the university's needs. ~~-~~This process should be transparent and constructive~~honest, open~~, ~~and forthright;~~ including an acknowledgment of the employee's achievements, as well as an assessment of his or her ability to match the university's expectations~~, and a determination of areas needing improvement~~.

~~As t~~This ~~evaluation process~~policy pertains~~relates~~ to the ~~campus~~ provost, full-time vice provosts, academic vice presidents who report to the provost, academic deans, full-time academic associate and assistant deans, directors of academic offices, and ~~,~~ chairs and heads.~~, directors, and other academic supervisory personnel,~~ ~~-~~The evaluation process will include input from a variety of groups; faculty will play a major role in evaluation of academic administrators.~~it is expected that an evaluation will always emphasize areas of special achievement, while also identifying areas needing improvement. This should be a constructive and useful experience to be welcomed by the person being evaluated. It is a required part of an ongoing process designed to ensure that the person evaluated continues to meet both his or her own needs, as well as the needs of affected university publics.~~

2. **Annual Review~~Timetables~~**

Each administrator covered by this policy will be reviewed annually by the administrative supervisor to whom that person reports in accordance with Policy 167.

3. **Comprehensive Review**

All administrators covered under this policy will undergo a comprehensive review. ~~Evaluation of deans, directors, and chairs will include input from a variety of groups. This document is designed to guide faculty, as they play a major role in evaluation of academic supervisors. It is expected that deans, chairs, and directors will be evaluated formally~~The first comprehensive review will be completed by the end of the administrator's third year of appointment. Subsequent reviews will occur~~ at least~~ every ~~three~~five years, to be completed by the end of the fifth year after the prior review. Interim reviews may be requested by the administrator or by the person to whom the administrator reports. ~~-~~If a review indicates substantial areas of concern or lack of performance, the next review will be completed within two years of that review.~~The college or department Promotion, Tenure and Evaluation (PTE) committee, supervising administrator, or the employee himself/herself may request an evaluation.~~

4. **Common Review Criteria**

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Review criteria should be based on the administrator's job description which may include, but are not limited to the following:
a) leadership, strategic planning and assessment;
b) administration and management;
c) commitment to institutional values including equity and diversity, academic freedom, and shared governance;
d) external relations;
e) service to the broad mission of the University.
The relative importance of evaluation areas will vary with position of the administrator; therefore some criteria above many not apply and others may be added.

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5. Procedures

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Reviews will be initiated by the administrator's supervisor, and must be conducted according to the Comprehensive Review Procedures for Academic Administrators.

Review committees – consisting of tenured faculty, relevant administrators, and staff – will be formed in accordance with the Comprehensive Review Procedures. The review committee shall prepare a report summarizing its findings for submission to the supervisor.

~~As personnel matters, reviews and any materials generated during the review process are confidential.~~ The supervisor will provide a summary of the review for public distribution.

~~3. Evaluation of academic deans and directors~~

~~3.1 Evaluation standards~~

~~While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.~~

~~a) Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.~~

~~b) Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.~~

~~c) Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of chairs, faculty and staff, manages the dean's or director's office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other colleges, makes decisions in a timely fashion.~~

d) Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.

e) Instruction. Coordinates and implements curricula as developed by the faculty.

f) Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.

g) Development. Within the context of the college, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.

h) Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.

i) Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.

3.2 **Evaluation Procedures**

a) The Office of the Provost initiates evaluations of these administrators. To ensure faculty involvement, the faculty of a college or unit must organize a committee consisting of full-time non-administrative faculty at the assistant professor, associate professor, or full professor level. Members of the Evaluation Committee are recommended to the Provost the college or unit's PTE Committee, as appropriate under the evaluative charge of this group. However, members of the college's PTE Committee cannot appoint themselves.

b) The number of faculty on the committee may be flexible, but should total at least five. Evaluation Committee members should decide at an initial meeting the number of members constituting a quorum. A timetable should be set in consultation with the Provost or other senior administrative office to assure that the faculty evaluation material is ready in time to be included in the entire evaluation document.

c) The Evaluation Committee will propose a written evaluation form based upon the formal job description, dean's statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the dean/director, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit responses from faculty, chairs, peer administrators, and others including classified staff, students, recent graduates, and external constituencies, if appropriate.

d) The Evaluation Committee will analyze the completed evaluation forms and prepare a committee evaluation report summarizing the findings for the Provost. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the college or division have changed, it may recommend to the Provost that the position description be changed.

e) Upon receipt of the committee's evaluation report, the Provost will also analyze and summarize the data. The Provost will then meet with the Evaluation Committee to determine consensus and discuss differences. The Provost will prepare a draft report of the final evaluation and provide it to the dean. The Provost will meet with the dean and discuss the findings of the Evaluation Committee. Following this meeting, a final evaluation report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the dean/director discuss this final evaluation report at a subsequent college or division faculty meeting.

f) At any time, faculty or staff not on the committee, of course, may contact the Office of the Provost or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.

4. Evaluation of chairs and heads

4.1 Evaluation standards

While standards vary among colleges and divisions, the considerations below are designed to help guide Evaluation Committees in forming their evaluation.

a) Leadership. Promotes high standards for the unit in areas of scholarship, instruction, and outreach; communicates priorities, standards, and administrative procedures effectively; articulates a vision for the future; provides national and statewide visibility and recognition for the unit; contributes to the leadership of the university and effectively advocates for the university.

b) Planning. Works effectively with staff in identifying appropriate short-term and long-term goals, in setting priorities, and in focusing resources across all unit missions.

c) Administration and Management. Oversees the recruitment and appointment of highly qualified staff, provides support for the successful recruitment and retention of faculty and staff, manages the department office effectively, shares governance with staff when appropriate, provides for effective budget management, works effectively with other departments, makes decisions in a timely fashion.

d) Affirmative Action. Encourages diversity and implements mechanisms for attracting and retaining women and underrepresented groups; encourages respect for all persons in the unit.

e) Instruction. Coordinates and implements curricula as developed by the faculty.

f) Outreach. Promotes the service component of the unit's mission, provides mechanisms for the successful delivery of outreach programs, is responsive to the needs of external constituencies.

g) Development. Within the context of the (college) unit, successfully works with the Development Foundation and other organizations in identifying and pursuing philanthropic support for the unit; develops public and constituency support for the unit.

h) Personnel Development. Supports and defends academic freedom; provides guidance, support and resources for faculty and staff development, particularly in promotion, tenure and evaluation.

i) Assessment. Effectively evaluates or assesses the units under his/her administration; acknowledges areas of excellence, and recommends areas where improvement is needed.

4.2 **Evaluation Procedure for chairs and heads**

a) Chairs also must be evaluated at least once every three years, with the dean of the college or the director of the unit initiating the evaluation process. The dean, in conjunction with the department faculty, will form an ad hoc committee consisting of at least three faculty members.

b) This ad hoc committee chair will propose a written evaluation form based upon the chair's formal job description, statement of goals and accomplishments, and a statement of self-assessment. A draft of this proposed evaluation form will be made available to the chair, who will be invited to offer input before the document is finalized. The final evaluation form will be used to solicit response from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if appropriate, external constituencies.

c) The ad hoc committee will analyze the completed evaluation forms and prepare a report summarizing the findings for the dean. Evaluation Committee members who do not agree with the majority report may append a dissenting report. If the Evaluation Committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed.

d) Upon receipt of the report from the Evaluation Committee, the dean will also analyze and summarize the data. The dean will then meet with the ad hoc committee to determine consensus and discuss differences. The dean will prepare a draft report and provide it to the chair. The chair will meet with the dean regarding the report. Following this meeting, a final report will be written and placed in the individual's official personnel file. To ensure that the process remains open and positive, it is strongly suggested that the chair discuss this evaluation at a subsequent department faculty meeting.

~~e) At any time, faculty or staff not on the committee, of course, may contact the deans' office or other appropriate supervising officer directly with compliments or concerns relating to the person being evaluated.~~

HISTORY:

New	July 1990
Amended	April 1992
Amended	January 1995
Amended	January 1996
Amended	February 1997
Amended	May 1997
Amended	January 2003
Amended	October 2007
Housekeeping	February 14, 2011
Housekeeping	July 12, 2013

COMPREHENSIVE REVIEW PROCEDURES

Adapted from Section 327: Evaluation of Academic Administrators

1. **Introduction**

In addition to the annual review, full-time academic administrators are subject to a comprehensive review in their third year of initial appointment and at least once every five years thereafter. The comprehensive review process for academic administrators follows the guidelines described below.

2. **Evaluation of Provost, Vice Provosts, and Academic Vice Presidents**

a) **Initiating evaluation.** Reviews will be initiated by the administrator's supervisor. A review committee will be formed, consisting of tenured faculty, relevant administrators, and staff.

b) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

c) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

d) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from peer administrators, deans, chairs/heads, and appropriate faculty, staff, students, and other constituents. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

e) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the supervisor. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the immediate supervisor regarding the review committee's report.

f) **Supervisor report and action plan.** An evaluation report will be written by the immediate supervisor, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The supervisor will meet with the administrator to review the evaluation report and action plan. The final supervisor's report and action plan will be placed in the administrator's personnel file.

g) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

3. **Evaluation of Academic Deans**

a) **Initiating evaluation.** The Office of the Provost initiates evaluations of academic deans (including dean of the graduate college and dean of libraries).

b) **Forming the review committee.** To ensure faculty involvement in evaluation of college deans, members of the review committee are recommended to the provost by the college or unit's PTE committee. Members of the PTE committee cannot appoint themselves as a group. The review committee must consist of full-time non-administrative faculty, as well as relevant staff and other constituents. The number of faculty on the committee may be flexible, but should total at least five, including at least three tenured faculty members and two full professors. Assistant professors may serve, as long as the tenured faculty minimum is met. To ensure constituent involvement in evaluation of the dean of the graduate college and the dean of libraries, members of the review committee are recommended to the provost by the executive committee of the faculty senate. The review committee must consist of tenured faculty and relevant administrators and staff. A majority of any review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the provost or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the dean's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the dean, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, chairs/heads, peer administrators, and others including classified staff, students, recent graduates, and external constituencies. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the provost can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the dean's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the provost. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the college have changed, it may recommend to the provost that the position description be changed. The chair of the review committee will meet with the provost regarding the review committee's report.

g) **Provost's report and action plan.** An evaluation report will be written by the provost, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The provost will meet with the dean to review the evaluation report and action plan. The provost's final evaluation report and action plan will be placed in the dean's official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the committee may contact the review committee or provost with comments or concerns relating to the person being evaluated.

4**. Evaluation of Chairs and Heads**

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of chairs or heads. The process for annual feedback may be determined by the department.

b) **Initiating evaluation.** The dean of the college or director of the unit initiates review of chairs and heads. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the dean to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based upon the chair or head's job description, goals, and the relevant review criteria that apply in this context. A draft of the adapted evaluation form will be made available to the chair or head, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from faculty, peer administrators, and others including classified staff, students, recent graduates, and, if appropriate, external constituencies. Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the dean can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the chair or head's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the department or unit have changed, it may recommend to the dean that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements, or changes in position responsibilities. The dean will meet with the chair or head to review the evaluation report and action plan. The final dean's report and action plan will be placed in the chair or head's official personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or deans' office or other appropriate supervising officer directly with comments or concerns relating to the person being evaluated.

5. **Evaluation of Associate or Assistant Deans and Directors**

a) **Annual feedback.** Systematic written feedback from faculty, staff, and others is to be collected and summarized annually as input to the dean's annual evaluation of associate or assistant deans and directors. The process for annual feedback may be determined by the college.

b) **Initiating evaluation.** The supervising dean initiates the evaluation of associate or assistant deans and directors. The dean, in conjunction with the department faculty, will form an ad hoc review committee consisting of at least three full-time non-administrative faculty members, at least two of whom are tenured, and other appropriate stakeholders based on the individual's job description. The majority of the review committee shall be comprised of faculty.

c) **First meeting.** At the review committee's first meeting, members will select a committee chair; the chair must hold a tenured faculty appointment. The committee chair's duties are to call meetings and facilitate the work of the committee. The committee will also select a record keeper from the committee members to take minutes, to archive documents, and will determine the number of members constituting a quorum.

d) **Timetable.** A timetable shall be set in consultation with the immediate supervisor or other senior administrative office to ensure that the evaluation material is ready in time to be included in the administrator's evaluation report.

e) **Evaluation form and other input.** The review committee will adapt a standard evaluation form based on the administrator's job description, goals, and the relevant evaluation criteria that apply in this context. A draft of the adapted evaluation form will be made available to the administrator, who will be invited to offer input before it is finalized. The final evaluation form will be used to solicit anonymous responses from members of groups impacted by or involved with the work of the associate/assistant dean or director (such as faculty, staff, peer administrators, deans, chairs/heads, students, and other constituents). Additional input from interviews or other solicited/contributed materials may be considered. Both the review committee and the immediate supervisor can access information assembled as part of the review process.

f) **Review committee report.** Based on the summarized findings of the solicited responses and other input, and the administrator's statement of goals and accomplishments and a self-assessment, the review committee will write an evaluation report for submission to the dean. Review committee members who do not agree with the majority report may append a dissenting report. If the review committee believes the needs of the university or division have changed, it may recommend that the position description be changed. The chair of the review committee will meet with the dean regarding the review committee's report.

g) **Dean's report and action plan.** An evaluation report will be written by the dean, accompanied by an action plan to address any performance concerns, needed improvements or changes in position responsibilities. The dean will meet with the administrator to review the evaluation report and action plan. The final dean's report and action plan will be placed in the administrator's personnel file.

h) **Other avenues for feedback.** At any time, individuals not on the review committee may contact the review committee or appropriate immediate supervisor directly with comments or concerns relating to the person being evaluated.

Policy 352 Sections 5.3-5.5 Version 2 3-8-2016

Policy Change Cover Sheet

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

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

SECTION: Policy Sections 352 5.3, 5.4, and 5.5 – Promotion, Tenure and Evaluation: COMPOSITION OF PTE COMMITTEES

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change:
     Sec. 5.3: Clarifies types of administrative appointments for which service on PTE committees is not allowed.
     Sec. 5.4 (new): Prevents double-voting by requiring that a college PTE committee member who has voted on the promotion/tenure of a candidate in the department committee be recused from the college committee vote.
     Sec. 5.5 (new): Requires recusal of faculty members from the PTE process in cases of conflict of interest.

2. This policy change was originated by (individual, office or committee/organization):
   - Office/Department/Name and the date submitted: ad hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 3-10-2016
   - Email address of the person who should be contacted with revisions: Alan.Denton@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 352
PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.

1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University, college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.

1.3 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

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

2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience.

2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off- campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

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

2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;

2.2.1.1.2 the continuous improvement of courses or instructional programs;

2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.

2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:

2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;

2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;

2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;

2.2.1.2.4 the dissemination of best practices in teaching;

2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

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

2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.

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

2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;

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

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

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

2.2.2.2.5 the receipt of awards or special recognition for research ;

2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

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

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

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

2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:

2.2.3.2.1 the receipt of awards or special recognition for service;

2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;

2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

2.2.3.2.4. active participation and leadership in University governance and programs at the department, college, university and system levels;

2.2.3.2.5. effective management or improvement of administrative procedures or programs.

2.2.3.2.6 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;

2.2.3.2.7 contributions to the operation of state or federal agencies.

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

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

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

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

3.3. For probationary faculty, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit which were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured candidates for promotion to professor shall be evaluated by the criteria in effect at the time of application.

3.4. Faculty Hired Without Previous, Relevant Experience

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

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum (from one to three) years of tenure credit offered.

There are two options:

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

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

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

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

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

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

3.6.2 Extension of Probationary Period for Personal Illness or Disability

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

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.

3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form.

3.6.4.6 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

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

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

Related Policies and Procedures:

Policy 156. Equal Opportunity Grievance Procedures (http://www.ndsu.edu/fileadmin/policy/156.pdf)

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

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

NDSU HIPAA Security Procedures- see http://www.ndsu.edu/general_counsel/hipaa/

Authorization for Release of Information: http://www.ndsu.edu/fileadmin/generalcounsel/Forms-HIPAA/Authorization_for_Release_of_Information_01.doc

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

4. PERIODIC REVIEW

4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.

4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.

4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.

4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.

4.5 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review period. For probationary faculty, the report shall include an assessment of the faculty member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward

tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.

4.6 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.

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

5. COMPOSITION OF PTE COMMITTEES

5.1 Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.

5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Faculty members being considered for promotion may not serve while under consideration.

5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic a~~A~~dministrative appointment" includes appointments as President, ~~Vice President, Associate or Assistant Vice President, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, or Director of an academic unit.)~~ Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and/or evaluate other faculty are eligible to serve.

5.4 A college PTE committee member who has voted on the promotion/tenure of a candidate in the department PTE committee shall be recused from the vote by the college PTE committee. In such a case, college policy shall determine whether the committee member may or may not deliberate with the committee on the candidate.

5.5 Faculty members, including administrators, who participate in the PTE process shall be recused from deliberations and decisions regarding a candidate if there is a past or current relationship that compromises, or could have the appearance of compromising, a faculty

member's judgment with regard to the candidate. The following list, while not exhaustive, illustrates the types of relationships that constitute a conflict of interest:

- A family relationship
- A marital, life partner or dating/romantic/intimate relationship
- An advising relationship (e.g., the faculty member having served as the candidate's PhD or postdoctoral advisor)
- A direct financial interest and/or relationship
- Any other relationship that would prevent a sound, unbiased decision

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

6. PTE PROCEDURES

6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee no later than November 1.

6.2 After November 1, the information that may be added to the portfolio is limited to
a) Recommendations by the evaluating units considering the portfolio at that time;
b) the candidate's response to those recommendations;
c) any materials requested by the evaluators.

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

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

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

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

6.5 Allegations of misconduct discovered after November 1 that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.

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

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

6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.

6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.

6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.

6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.

6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.

6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.

7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

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

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015
Amended	January 27, 2016

Article II: Organization and Faculty Senate Operation

Section 8.

The administrative role of Secretary of the Senate shall be appointed by the Provost; the Secretary of the Senate 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 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, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.
8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.
10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.
12. Perform other appropriate tasks as assigned by the Faculty Senate President in consultation with the Provost.

Section 9.

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

Academic Affairs Committee

1. Voting members shall consist of one tenured faculty member from each of the representation units, a tenured faculty representative appointed by the Dean of the College of Graduate and Interdisciplinary Studies, and two students – one graduate and one undergraduate - appointed by the Student Government. The Provost and Registrar shall each appoint one non-voting representative.

    a. Terms shall be four years. Voting members shall not serve consecutive terms. Terms shall be staggered so that no more than one-third of the members are new.
    b. One faculty member will be elected as chair. Neither the Provost's nor Registrar's representative shall serve as chair.
    c. The chair shall have served at least one year on the committee.
    d. Each representation unit shall also select an alternate faculty member to serve in case of recusal or absence.

2. Committee responsibilities are:

    a. Developing criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.
    b. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges.
    c. Overseeing the general education program, including:
        - Validating/revalidating courses and experiences to ensure that general education outcomes are met.
        - Coordinating periodic assessment of students' attainment of intended student outcomes in general education.

    d. Requesting the formation of ad hoc Faculty Senate committees to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed*, and*
    e. Performing other appropriate duties as assigned by the Faculty Senate.

Suggested process

The Committee should focus on moving proposals efficiently through the approval process. Only substantive errors or conflicts in the proposal should be addressed.

Recommendations for Best Practices

1. To expedite the process, proposals should not be re-reviewed more than is absolutely necessary. Below we have listed the review focus at each stage of the process:

a. Department Curriculum Committee Review – Review for quality within the discipline, fit in the department's offerings, fit with the department's strategic planning, review course or program compatibility with the department's assessment plan.

b. College Curriculum Committee Review – Review for fit in the college's offerings and fit with the college's strategic planning. (Not reviewed for quality unless cause is shown.)

c. Academic Affairs Committee Review – review according to clearly articulated policy requirements.

2. Templates for each proposal or measure should include all elements that will be evaluated during the process.

It would be helpful to say who will be evaluating what in the template.

If a requirement is lacking or vague, the review shall be determined in the favor of the proposal.

Components irrelevant to the review, such as office hours, instructor name, and so on, will not be required for the review. The templates can have placeholders for these pieces of information.

NDSU Faculty Senate
April 18, 2016
Prairie Rose, Memorial Union
Agenda

I. Call to Order

II. Attendance and substitutions

III. Approval of previous meeting minutes from March 2016

IV. Consent agenda
   a. Academic Affairs Report (attachment 1)
   b. Policy changes (attachment 2) (All housekeeping changes/information only)
      - Policy 818 - PROCUREMENT STANDARDS ON FEDERAL AGREEMENTS

V. Announcements
   a) Dean Bresciani, President
   b) Beth Ingram, Provost
   c) Dennis Cooley, Faculty Senate President
   d) Katie Gordon, Faculty Senate President-Elect

VI. Senate Committee Reports
   a. CCF – Gina Kelley (attachment 3)

VII. Unfinished Business
   a. New Bylaw changes (attachment 4)
   b. Proposal to merge Academic Affairs and General Education committees (attachment 5)

VIII. New Business
   a. Policy 718 - Public/Open/Restricted Records (attachment 6)
   b. Council of College Faculty elections
      i. Member to replace T. Ambrosio.
      ii. Alternate member.
   c. VALOR – Carol Cwiak
   d. General Education Committee – Joe Mike Jones and Crosswalk (attachment 7)

IX. Adjourn

Academic Affairs Committee Report
For Faculty Senate Meeting on April 18, 2016

New Program/Options
M.S. in Extension Education
B.S. in Nursing – new option: LPN to BSN track

Program Changes
Minor in Agribusiness – increasing required number of credits from 16 to 18
B.S. in Business Administration – adding MATH 144 as a required course
B.S./B.A. in HDFS: Adult Development and Aging – adding HDFS 480 as a required course
B.S./B.A. in HDFS: Social Work – correction of a typo in the degree name
B.S. in Management – adding MATH 144 as a required course
B.S. in Marketing – adding MATH 144 as a required course
B.S. in Horticulture – adding PLSC 370 as a required course and making electives more flexible

New Courses

Subject	No.	Title	Crs.	Effective Term
ANSC	756	History and Perspectives in Animal Breeding	1	Fall 2016
ANSC	855	Molecular Biological Techniques in Animal Sciences	3	Fall 2016
ECE	772	Low Power Circuit and System Design	3	Summer 2016
LA	422	Planting Theory and Practice	3	Spring 2017
MATH	439/639	Topics in Algebra and Discrete Mathematics	3	Fall 2016
MATH	449/649	Topics in Topology and Geometry	3	Fall 2016
MATH	454/654	Introduction to Functional Analysis	3	Fall 2016
MATH	459/659	Topics in Analysis	3	Fall 2016
MATH	485/685	Topics in Applied Mathematics	3	Fall 2016
NURS	300	Pharmacology for Nursing	3	Fall 2016
NURS	326	Immersion I	1	Fall 2016
NURS	356	The Essence of Nursing	3	Fall 2016
PLSC	370	Landscape Management	3	Fall 2016
PLSC	386	Arboriculture Climbing and Rigging Operations	2	Fall 2016
Uniform	179, 279, 479, 679	Study Tour Abroad	1-6	Summer 2016

Course Changes

From:				*To:*				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
ANSC	466	Principles of Feed Technology, Production and Management	2	ANSC	**426**	**Feed Technology**	2	Fall 2016
CJ	752	Criminogenic Commodities	3	CJ	752	**Crime and the Life Course**	3	Fall 2016
HNES	761	Physiological and Fitness Assessment in Exercise and Nutrition Science	3	HNES	761	**Physiological and Fitness Assessment in Exercise Science**	3	Fall 2016
PHRM	125	Medical Terminology for Health Professionals	1	**CHP**	125	Medical Terminology for Health Professionals	1	Fall 2016
PHRM	341	Pathophysiology II	4	PHRM	342	Pathophysiology II	**3**	Spring 2017
PHYS	462/662	Heat and Thermodynamics	3	PHYS	462/662	**Thermal and Statistical Physics**	3	Fall 2016
PHYS	481/681	Introduction to Solid State Physics	3	PHYS	481/681	**Condensed Matter Physics**	3	Spring 2017

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions

Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
ANSC	426	Feed Technology	Prereq: ANSC 223, ANSC 324 or ANSC 360	Fall 2016
CJ	752	Crime and the Life Course	Desc: The life course will be examined as a theoretical orientation, a research methodology, and as an empirical field of study with special reference to crime and deviance. Key conceptual and research issues will be analyzed and discussed.	Fall 2016
MATH	450/650	Real Analysis I	Desc: Differentiation and Riemann integration in the real numbers. Sequences and series of functions; uniform convergence and power series. Prereq: MATH 346.	Fall 2016
PHRM	341	Pathophysiology II	No prerequisites	Spring 2017
PHRM	352	Introduction to Health Care Systems	No prerequisites	Fall 2016
PHRM	552L	Pharmaceutical Care Laboratory IV/Introductory Pharmacy Practice Experience IV	Prereq: PHRM 551L	Summer 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions (continued)				
Subject	**No.**	**Title**	**Prerequisite/Co-requisite Change**	**Effective Term**
PHRM	565	Pharmacy-Based Immunization Delivery	Prereq: MICR 470	Spring 2017
PHYS	462/662	Thermal and Statistical Physics	Desc: Classical postulates and laws of thermodynamics; cyclic processes and entropy; thermodynamic potentials, equilibrium, stability, and phase transitions; Maxwell-Boltzmann distribution, applications to classical gases and magnets; quantum statistics, Bose-Einstein and Fermi-Dirac distributions, applications to quantum gases. Prereq: PHYS 350	Fall 2016
PHYS	481/681	Condensed Matter Physics	Desc: Introduction to the physics of soft condensed matter, composed of polymers, colloids, amphiphiles, and liquid crystals, and of hard condensed matter, including metals, semiconductors, and superconductors, emphasizing phase transitions and materials properties (electrical, magnetic, optical, elastic). Co-req: PHYS 486	Spring 2017

Course Inactivations				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
CHEM	260	Elements of Biochemistry	4	Spring 2017
HDFS	481	Gender and Aging	3	Fall 2016
HDFS	774	Foundations of Couple and Family Therapy II	3	Fall 2016
HDFS	776	Clinical Applications of Couple and Family Therapy II	3	Fall 2016
HDFS	777	Diagnosis and Assessment in Couple and Family Therapy	3	Fall 2016
HDFS	780	Ethics and Professional Issues in Couple and Family Therapy	3	Fall 2016
HDFS	783	Dynamics of Parent-Child Relations	3	Fall 2016
PLSC	360	Horticultural Food Crops	4	Fall 2016

New Special Topics				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
PSCI	499	Biochemistry and Molecular Biology for Pharmacists	1-5	Summer 2016

Policy Change Cover Sheet

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

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

SECTION: Policy Number and Name **818 PROCUREMENT STANDARDS ON FEDERAL AGREEMENTS**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☒ Yes ☐ No
   - Describe change:
   - The new Uniform Guidance allows for an extension for implementing the new Procurement guidelines but requires us to note in our policies that we won't be implementing the new guidelines until 7/1/2017.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted: Grant & Contract Accounting/Ann Young & Gary Wawers
   -
   - Email address of the person who should be contacted with revisions gary.wawers@ndsu.edu and ann.young@ndsu.edu

This portion will be completed by Kelly Hoyt.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

North Dakota State University
Policy Manual

SECTION 818
PROCUREMENT STANDARDS ON FEDERAL AGREEMENTS

SOURCE: NDSU President

1. The acquisition of goods, services, or equipment is subject to the following standards.

   1.1 Procurement actions shall follow a procedure to assure the avoidance of purchasing unnecessary or duplicative items. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical, practical procurement.

   1.2 Positive efforts shall be made by the University to utilize small business and minority-owned business sources of supplies and services. Such effort should allow these sources the maximum feasible opportunity to compete for contracts utilizing federal funds.

   1.3 All proposed sole source contracts for purchase or where only one bid or proposal is received in which the aggregate expenditure is expected to exceed $5,000 shall be subject to prior approval at the discretion of the federal sponsoring agency.

   1.4 The Office of Grant and Contract Accounting will review purchase requisitions or request for payments which exceed $5,000.

   1.5 NDSU will be implementing the new Uniform Guidance Purchasing requirements effect July 1, ~~2016~~2017.

HISTORY:

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

From Faculty Senate meeting minutes of December 2015

a. Policy 133.1 – Tuition Waivers - Spouse/Partner and Dependents (attachment 6)
   - Committee comprised of faculty and staff reviewed Policy 133.1
   - Updated language in policy to include same sex partners for tuition discounts for individuals who complete the Declaration of Domestic Partnership for Purpose of Tuition Discount Eligibility form
   - Edits remove gender specific language
   - Please note that the form will have to be changed so that all domestic partnerships are included

   MOTION (Christensen/Smith): to approve Policy 133.1. MOTION CARRIED WITH UNANIMOUS CONSENT.

Policy Change Cover Sheet

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

SECTION: Policy 133.1 Tuition Waiver – Spouse/Partner and Dependents

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Adding clarifying language to policy regarding use with other tuition waivers, specific programs and removing the in or out of state tuition waiver information.
   -

2. **This policy change was originated by (individual, office or committee/organization):**
   - HR/Payroll & Customer Account Services April 22, 2015
   - Brittnee.nikle@ndsu.edu and Karin.Hegstad@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:	5/8/2015
Faculty Senate:	
Staff Senate:	5/14/2015
Student Government:	5/14/2015
President's Cabinet:	

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

North Dakota State University
Policy Manual

SECTION 133.1
TUITION WAIVER – SPOUSE/PARTNER AND DEPENDENTS

SOURCE: NDSU President

SBHE Policy Manual, Section 820.1

The North Dakota State Board of Higher Education allows campuses to adopt tuition waivers which are consistent with an institution's mission. The spouse/partner and dependent tuition waiver is intended to help recruit and retain faculty and staff who can best perform or support the teaching, research and public service mission of the University.

1. The spouse/partner and dependents of regular (broadbanded staff must be off probation), benefitted NDSU employees are eligible for the waiver effective Fall 2002.

    1.1 Dependents are defined as those unmarried children (25 years of age or under if they are a full-time student, otherwise age 22 and under), who rely on the parent(s) for significant financial support.

    1.1.1 A spouse/partner or dependent who is also a regular, benefitted employee is only eligible for the employee tuition waiver outlined in Section 133 (Educational Policy).

    1.1.2 A spouse/partner or dependent who is eligible for this educational benefit is not eligible for the graduate assistant tuition waiver, the cultural diversity tuition waiver or other waivers which may duplicate benefits.

    1.2 Partners are those who have completed and filed a Declaration of Domestic Partnership for Purpose of Tuition Discount Eligibility http://www.ndsu.edu/forms/ or https://www.ndsu.edu/fileadmin/hr/docs/Declaration.pdf with the Office of Human Resources/Payroll.

    1.3 The spouse/partner and/or dependents must meet admission standards and register for classes through regular registration procedures.

    1.4 The employee must be actively employed on the first day of each semester to be eligible for the waiver.

2. The tuition waiver is 50% of the tuition for NDSU classes (excluding internships that require tuition to be paid to the site for student placement and Professional Development non-degree eligible courses) per spouse/partner or dependent.

    2.1

    2.1 The maximum waiver for the spouse/partner or dependent of more than one eligible employee is 50%.

    2.2 Fees are not waived.

2.3 The waiver applies to undergraduate, professional (Pharmacy) and graduate level classes.

2.4 Early Entry students will be eligible according to the terms of this policy.

3. Procedure

3.1 A Spouse/Partner and Dependent Tuition Waiver application needs to be submitted to the Office of Human Resources/Payroll by the Monday two weeks prior to the start of classes for which the waiver is requested. Given that conditions in this policy may change, it will be necessary to review the conditions of eligibility each term.

3.2 Proof of marriage, domestic partnership, and/or dependency may be required.

3.3 In accordance with federal regulations, the tuition waiver will be used as a financial resource and become part of the student's financial aid package. The Student Financial Services Office may need to adjust aid if the amount of the tuition waiver, along with other financial aid, exceeds the total cost of attendance.

3.4 No employee, spouse/partner or dependent who has an overdue accounts receivable balance with the University may receive a spouse/partner and dependent tuition waiver.

3.5 In accordance with IRS regulations, the value of the tuition waived for graduate level classes will be considered taxable income to the employee. Federal, state and social security taxes will be deducted in a lump sum from the employee's last paycheck of the semester, or, at the employee's written request, deducted on a prorated basis throughout the semester.

HISTORY:

New	April 2002
Amended	July 2003
Amended	April 2005
Amended	October 18, 2010
Housekeeping	November 17, 2011
Housekeeping	July 29, 2013
Amended	March 23, 2014
Amended	November 7, 2014
Housekeeping	January 2, 2015

Article II: Organization and Faculty Senate Operation

Section 8.

The administrative role of Secretary of the Senate shall be appointed by the Provost; the Secretary of the Senate 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 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, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.
8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.
10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.
12. Perform other appropriate tasks as assigned by the Faculty Senate President in consultation with the Provost.

Section 9.

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

Current Bylaws

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a representative of the Dean of Graduate and Interdisciplinary Studies, and two students.

2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.

3. Committee responsibilities include:
    1. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
    2. Recommending policies for the evaluation of transfer credit
    3. Recommending policies for graduation
    4. Recommending candidates for graduation
    5. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 10. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.

2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, the professional advisers (at least 50% of load is advising), and the Provost (or designee). There is no term limit for non-voting members.

3. Committee responsibilities include:
    1. Ensuring that existing courses and experiences meet general education requirements.
    2. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.
    3. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.
    4. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.
    5. Providing periodic assessment of students' attainment of intended student outcomes in general education.
    6. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.
    7. Selecting two representatives and one alternate for the North Dakota General Education Council.

University Curriculum Committee (UCC)

1. Voting members shall consist of one tenured faculty member from each of the representation units, a tenured faculty representative appointed by the Dean of the College of Graduate and Interdisciplinary Studies, and two students – one graduate and one undergraduate - appointed by the Student Government.

   The Provost, Registrar, and Dean of Libraries shall each appoint one non-voting representative.

   a. Terms shall be four years. Voting members shall not serve consecutive terms. Terms shall be staggered so that no more than one-third of the members are new.
   b. One faculty member will be elected as chair. Neither the Provost's, Registrar's, nor Dean of Libraries' representative shall serve as chair.
   c. The chair shall have served at least one year on the committee.
   d. Each representation unit shall also select an alternate faculty member to serve in case of recusal or absence.

2. Committee responsibilities are:

   a. Developing criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.[1]
   b. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges.
   c. Overseeing the general education program, including:
      a. Validating/revalidating courses and experiences to ensure that general education outcomes are met.
      b. Coordinating periodic assessment of students' attainment of intended student outcomes in general education.
   d. Requesting the formation of ad hoc Faculty Senate committees to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed[2]*, and*
   e. Performing other appropriate duties as assigned by the Faculty Senate.

[1] Designates an overlapping function.

[2] Designates a new authority.

Purpose of change

1. To create a committee that focuses on NDSU's curriculum as a whole.
    A. Enables the committee to have a more comprehensive understanding of the curriculum to create a consistent, coherent, practical curriculum for students, faculty, and staff.
2. To redirect the focus to the committee's Faculty's expertise rather than doing administrative work. They would become an executive committee.
3. Create a more efficient workflow.

<u>Phases</u>

Phase 1: August-September 2016 - Colleges elect their representatives to the UCC, the other members are appointed.

Phase 2: Fall 2016 - UCC members attend AA and GE meetings to orient themselves to the relevant work. During this time, they should be thinking about what portions of the work can be:

A. Administrative work not performed by faculty members – The Provost's office is providing a great deal of administrative support through Vice Provost for Academic Affairs, her administrative assistant, and other ex-officios.
    1. Before the committee sees a petition or application, the ex-officios can determine if the documents are adequately prepared. If not, they can be returned to the originator.
    2. Courseleaf or Sharepoint to make workflow for efficient and transparent,

    OR

B. Reduced through process change –
    1. Petitions take up an enormous amount of GE's time. RaNelle Ingalls has stated that petitions out of UNIV 189 are often unnecessary. They could be eliminated by either educating advisors that a student with 24 hours credits coming into NDSU does not need UNIV 189 to graduate, or a note could be put on the petition form page stating that fact so that students do not submit the form in the first place.
        1. Based on existing course evaluations we do for transfer credits from other universities, other petitions could be sent to the relevant programs for them to evaluate. Since those programs are experts in their own area, then they can do this most efficiently.
        2. The recommendation would be returned to UCC for their executive decision to accept or decline.
        3. A timely deadline for a departmental or other decision should be included with the request to evaluate the petition.
    2. Creating or updating templates for fill in blanks course proposals.
        1. Templates for undergraduate only, graduate only, and undergraduate/graduate classes exist. Those areas, such as instructor, office number and hours, academic honesty, accommodation, etc. will already be filled out. (https://www.ndsu.edu/facultysenate/acadaffairs/syllabi/, and has been available for many years)
        2. Only the areas relevant for evaluation of the proposal shall be live for the proposer to fill in.

3. This work is already partially completed?
3. Training for the colleges' curriculum committees
    1. If the curriculum committees know what UCC wants, then it is easier to do that.
4. Moving evaluations or work to the areas best able to process it.
    1. A poorly filled out proposal should be returned to the originator with instructions how to change it.
5. Using Courseleaf or Sharepoint to monitor workflow and move materials directly to where they need to go.

Phase 3: Spring 2017 – UCC goes online

A. The Vice Provost for Academic Affairs will provide continuity and direction for the committee.
B. UCC will request an ad hoc General Education Recertification Committee or devise another efficient process to focus on recertifying all General Education courses to the New Model's outcomes. This process shall be considered by the Faculty Senate
    a. Consider requiring that all faculty members teaching general education courses explain in their course what general education is, why it is required of students, why the particular course is a component of general education, and what outcome it fulfills and how. Periodically during the semester, each general education instructor should tie in what she or he is doing to the what, why, why, what above.
    b. Probably good enough to send an email note out to general education instructors reminding them to do this? No need for additional monitoring? How would this be done?
    c. Use statistical sampling to evaluate proposals-revisions to alleviate workload, unless there is a system with far better outcomes to use. (Find out how businesses do this to review their projects.)
C. Evaluate UCC's process. If changes can be made to fulfill the reduced duties more efficiently without sacrificing quality, and the committee can do it for itself, then it would make these changes.
D. AA and GE representatives act as consultants to UCC.

Phase 4: May 2017 – Report to Faculty Senate

A. If there are issues the Faculty Senate needs to address, such as adding additional members to the committee, then that shall be brought to the Faculty Senate for discussion.
B. Faculty Senate would take whatever action it deems appropriate.

Phase 5: May 2018 – Report to Faculty Senate

A. If there are issues the Faculty Senate needs to address, such as adding additional members to the committee, then that shall be brought to the Faculty Senate for discussion.
B. Faculty Senate would take whatever action it deems appropriate.

Responses to concerns raised

a. Both GE and AA have significant workloads, both committees meeting more than once per month presently and moving business along at a relatively quick pace. To merge them may overburden the members of the super committee.
    - **IQAOCResponse**: The committee workload is being reduced, as can be seen by the reduced duties in the Bylaws, as well as the process changes, etc.
    - **IQAOCResponse**: Instead of overloading faculty with administrative work, they will be able to more freely use their expertise in their executive roles.
    - **IQAOCResponse**: Use statistical sampling instead of examining each case, if that proves a far more efficient system with adequate outcomes. The idea is to retain processes that cannot be changed, but to

change processes that are not resulting in sufficient efficiency to achieve desirable outcomes of freeing committee members to focus on the vision of a unified curriculum for the university.

b. Reading documents for Academic Affairs issues and GE issues requires considering different criteria. Therefore, we think either the review will not be effective in some area, or the time for reading will increase for those individuals having to develop expertise in both areas.
    - **IQAOCResponse**: It is better for the university to have an overall curriculum that is coherent, cohesive, and practical through one committee having one vision.
    - **IQAOCResponse**: The committee researched this issue in great depth. It found that our peer institutions do not separate these two functions into different committees, with the exception of one university. So the standard is a UCC rather than separate AA and GE committees. (One committee member raised concerns about the strength of this conclusion based on his personal records of the committee's research.)

c. The GE committee has, in the last year or two, worked to really streamline some processes so that it can take more of a leadership role regarding general education on campus and can do some things that they have not been able to get to in the past, such as revamping the GE web presence and having some oversight over assessment of GE (even if that assessment still happens in the colleges and departments, having some campus wide coordination will be important).
    - **IQAOCResponse**: This activity can be facilitated far more with a reduction in administrative workload and refocus on faculty expertise.

d. Without either a GE committee or a GE Director, and with the intense workload represented by the merger of the committees, we fear GE will suffer from inattention.
    - **IQAOCResponse**: General Education will be better integrated into a student's overall curriculum with one group focusing on the issue. The idea would be to increase the effectiveness and values of both major(s), minor(s), and general education.

e. The merger may be trying to solve problems that are no longer. AA has made its systems for syllabus review better; GE has created some policies and guidelines to make its processes more efficient. Nonetheless, there is still plenty of work for both committees, and the idea that the two committees are primarily redundant seems flawed.
    - **IQAOCResponse**: There are still significant problems with the processes that cause frustrations for both committee members and those faculty working with them. The length of time it takes to get a course approved for AA has been greatly reduced by Courseleaf. If a General Education step is added, then one set of faculty members can evaluate both AA and GE concerns simultaneously to determine if the course coherently, cohesively, and practically fits NDSU' curriculum.

Activities of the NDSU Faculty Senate Academic Affairs and General Education Committees for Academic Years 14/15 and 15/16 as of 3-7-16

The information summarized below is based on Faculty Senate and committee meeting minutes.

Academic Affairs Committee

Action	**Academic Year 14/15**	**Academic Year 14/15**
Policy Discussions	Sep – IQAOC questions; R&R query to check contact hours vs credits Oct – course approvals obtained one semester ahead of schedule?; academic freedom statement; guidelines for courses descriptions for smoother transfer evaluation Nov – AP cr Dec – CourseLeaf Mar – cr matrix and HLC compliance guidelines; course description for individual study Apr – CIM software demo; input on CIM fields May – Project lead the way	Aug – CIM update; colleges asked to discuss major clusters for advisement; PERC Sep – CIM update Oct – keep 400/600 together for review even though CIM lists separately; attendance policy 333 discussion re health center new policy Dec – uniform course number for undergrad teaching; pol 333 Jan - uniform course number for undergrad teaching Feb – final exam scheduling; IQAOC update and feedback
New Courses	Oct – 7 Nov – 8 Dec – 23 Jan – 2 Mar – 10 Apr – 26 May – 27 TOTAL = 103	Oct – 4 Nov – 13 Dec – 7 Jan – 1 Feb – 6 TOTAL = 31
Course Deletion	May - 3	
Course Inactivation's	Oct- 8 Nov – 9 Dec – 2 Mar – 4 Apr – 9 May 15 TOTAL = 47	Oct – 17 Nov -27 Dec – 6 Jan – 2 TOTAL = 52

Course Reactivation	Jan – 1 Apr – 1 May – 1 TOTAL = 3	
Course Changes	Oct – 26 Nov – 9 Dec – 13 Mar – 10 Apr – 20 May – 10 TOTAL = 88	Oct – 11 Nov – 8 Dec – 8 Jan – 1 Feb – 3 TOTAL = 31
Change in pre/co/req/descrp	Oct – 2 Nov- 4 Dec – 4 Jan – 2 Mar – 27 Apr 14 TOTAL = 56 May - 3	Oct – 13 Nov – 8 Dec – 18 Jan – 10 Feb – 10 TOTAL = 59
New special topics	Oct – 1 Nov – 2 Dec – 4 Apr – 2 May – 2 TOTAL = 11	Oct – 1 Nov – 3 Dec – 3 TOTAL = 7
New prefix	May - 2	
New Program/option	Oct – 1 Dec – 2 Apr – 2 May – 4 TOTAL = 9	
Accelerated/combined degree	Mar - 1	
Program changes	Mar - 1	Feb - 6

Program Inactivation	Dec – 1 Mar – 2 TOTAL = 3	
Program Termination	Mar - 2	

General Education Committee

Action	**Academic Year 14/15**	**Academic Year 14/15**
Priorities for Fall	• continued petitions review • pilot assessment • alignment with CULE work	
Priorities for Spring	• continued petitions review • streamlining policy and process to make room for leadership work • pilot assessment/assessment planning • alignment with CULE work	
Petitions	Sep – 12 Oct – 7 Nov – 5 Dec – 4 Jan - 4 Feb – 3 Mar – 1 Apr – 7 TOTAL = 43	Sep – 9 Oct – 4 Nov – 1 Dec – 3 Jan – 2 Feb – 6 TOTAL = 25
Request to waive	one	
New courses	1 considered – PHRM 101	ENGL 226, RELS History of religion courses
Bylaws Change	1 - changes to membership	
Establishing blanket exception for study abroad	Approved	
Upper division substitution request	1 for computer engineering	1 in fall for BIOL course
Military basic training waiver for wellness	Approved, but with no course credit	
Upper division languages	Approved to meet Humanities/Fine Arts cr	

Course equivalency discussions	One in spring	
Provided information to the IQOAC	Addressed questions and decide to meet more frequently; i.e. 2 times/mo vs 1 time/mo	Updated and raised concerns
Number of courses removed from Gen Ed	1 – HDFS 468	
ENGR 291 for 189	approved	
Handbook revision discussions	several	
Discussion of QUEST, how to approve new courses, make exceptions, review existing course, and how to analyze transfer cr	All spring	All fall
Senate charge of Crosswalk		All spring so far
Capstone assessment discussion		Discussion late fall through early spring
Remaining potential agenda items		• Discussion regarding mapping new outcomes onto the SERU • Course re-evaluation cycle: timing? Documents needed? • Build faculty learning communities (FLCs) around the outcomes, communicate with the FLCs re the outcomes and teaching for them • Program review overall (with external evaluators, as UND has done?) • Changing the language from GE to something more like core or essential or foundations, to overcome the “general” bias • How do we: 1- think of GE as a program or connected curriculum 2- communicate more regularly with faculty about GE, not just to the Senate • Over the long run, develop some regular cycle of program assessment (direct + indirect assessment), including the question of whether we should build some requirements for Capstones that might be considered at Senate

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Policy Change Cover Sheet

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

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

SECTION: Policy Number and Name **718 Public/Open/Restricted Records**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☒ Yes ☐ No
   - Describe change:
   - Policy has been updated and rewritten to separate policy from procedures and to accurately reflect current changes in NDSU governance and policy regarding litigation hold.
   - Policy and procedure have been reviewed and commented on by the NDSU SAG's representative.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted
     Information Security/Records Management, Theresa Semmens, CISO & Director, Records Management, Division of Information Technology
     Submitted: February 8, 2016
   - Email address of the person who should be contacted with revisions:
     Theresa.Semmens@ndsu.edu

This portion will be completed by Mary Asheim.
Note: Items routed as information by SCC will have date that policy was routed listed below.

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate

Student Government:

President's Cabinet:

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

Attachment 6

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North Dakota State University
Policy Manual

SECTION 718
PUBLIC/OPEN/~~RESTRICTED~~ CONFIDENTIAL RECORDS

SOURCE: NDSU President
SBHE Policy 1912

Pursuant to N.D.C.C. Section 44-04-18, ~~Except~~ except as otherwise specifically provided by law ~~or this policy~~, all records of ~~the State Board of Higher Education, the North Dakota University System and its institutions~~North Dakota State University are~~, pursuant to N.D.C.C. Section 44-04-18,~~ public records, open and accessible for inspection during regular office hours. NDSU shall comply with the public records laws. NDSU will not disclose information which is considered exempt under the public records laws.

This policy applies to all records, including all University information and University resources, regardless of format.

Definitions

Record N.D.C.C 44-04-17.1.16	"Recorded information of any kind, regardless of the physical form or characteristics by which information is stored, recorded, or reproduced, which is in the possession or custody of NDSU or its agent and which has been received or prepared for use in connection with public business or contains information relating to public business. 'Record' does not include unrecorded thought processes, but does include preliminary drafts and working papers."
Closed Record N.D.C.C 44-04-17.1.2)	"All or part of an exempt record that NDSU, in its discretion, has not opened to the public."
Confidential Record N.D.C.C. 44-04-17.1.3	"All or part of a record that is either expressly declared confidential or is prohibited from being open to the public."
Exempt Record N.D.C.C. 44-04-17.1.5	"All or part of a record that is neither required by law to be open to the public, nor is confidential, but may be open in the discretion of NDSU."
Public Record N.D.C.C. 44-04-18.1	"All records of a public entity are public records, open and accessible for inspection during reasonable office hours."
Public Employee N.D.C.C. 44-04-18.1	Public employee includes any individual who has applied for employment, is employed, or has been employed by a public entity.

Attachment 6

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I. Public/Open Records

A. Copies of records classified as public shall be provided upon request, after all exempt and/or confidential material has been removed from the records.

B. State law mandates that responses to open record requests cannot be unreasonably delayed; these requests must be given a high priority.

II. Confidential Records

A. Student Records

1. Student education records are confidential, and access to those records is restricted according to the Family Education Rights and Privacy Act (FERPA) of 1974.

B. Personnel Records

1. Personnel records, other than personnel records that relate to individuals employed as a result of his or her status as a student, are public records and open to inspection by the public.
2. Employee medical and employee assistance program records are confidential and are not to be placed in an employee's personnel file and are not to be released without written consent of the employee.
3. Personal information, as defined in N.D.C.C. Section 44-04-18.1, including a person's home address; home telephone number; photograph; medical information; motor vehicle operator's identification number; Social Security number; payroll deduction information; the name, address, phone number and date of birth of any dependent or emergency contact; credit, debit or electronic fund transfer card number; and any account number at a bank or other financial institution, are exempt from the open records law and may be released only as required by law, pursuant to an institution policy or with the employee's written consent.

C. Campus Police Records

1. Access to, and disclosure of, campus police records is governed by N.D.C.C. Section 44-04-18.7. Accordingly, active criminal intelligence information and active criminal investigative information are exempt from the open records law. Other law enforcement records which are exempt include, but are not limited to:
   a. Law enforcement records and files concerning a child, as that term is defined in N.D.C.C. Ch. 27-20, shall be kept separate from the records and files of adults, shall not be open to public inspection and may not be disclosed except according to the provisions of N.D.C.C. Ch. 27-20.
   b. Records of undercover law enforcement officers are confidential and exempt from the open records law as provided by N.D.C.C. Section 44-04-18.3.

III. Procedures and Materials

Procedures and materials required to support and enforce this policy will be developed and maintained by the Records Management Advisory Committee and the Director of Records Management.

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IV. Imposition of Sanctions

Failure to follow and comply with this policy may result in employee discipline, including termination of employment.

Attachment 6

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SECTION 718

PUBLIC/OPEN RECORDS PROCEDURES

I. Public Records Procedures

A. Responses to open records requests, other than routine requests in the normal course of business in an office or department, shall be coordinated as follows:
   1. Through the Office of the Vice President for University Relations, if the request is from a media source.
   2. Through the Chief of Staff to the University President, if the request is from a non-media source.

B. Copies shall be made of records and documents in the format filed, or kept in the normal course of business.

C. Employees are not required to retrieve, collate and/or summarize data or prepare other special reports or documents not required by law or otherwise prepared in the normal course of business.

D. A fee for allowing access to documents may not be assessed; however, each institution shall establish and collect a fee to cover reasonable copying costs, including reasonable costs of computer generated documents. The fee for standard paper copies may not exceed twenty-five cents per copy.

E. A fee not to exceed twenty-five dollars per hour, excluding the first hour, may be charged per request for locating records if locating the records requires more than one hour.

F. A fee not to exceed twenty-five dollars per hour, excluding the first hour, may be charged per request for excising confidential or closed material if doing so requires more than one hour.

G. Access to electronically stored records is free if the records are recoverable without the use of a computer backup. If a request is made for access to records on a backup for copies of electronically stored records, a reasonable fee may be charged to cover costs attributable for retrieving the information.

II. Student Education Records

A. Student education records, including those of former students, are confidential, and access to those records is restricted according to FERPA.

B. Pursuant to FERPA, NDSU will:
   1. Annually notify currently enrolled students of their rights under FERPA.
   2. Except as provided under FERPA and 34 CFR Section 99.31, relating to conditions under which personally identifiable information may be disclosed without consent, obtain a signed and dated written consent of a student before disclosing personally identifiable information from the student's education records;
   3. The University will:
      a. Maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student as required by FERPA, 34 CFR Section 99.32;
      b. Provide required notice concerning disclosure of directory information pursuant to FERPA, 34 CFR Section 99.37;
      c. Adopt procedures implementing FERPA provisions governing release and transfer of confidential student disciplinary records;
      d. Comply with all other requirements of FERPA and applicable regulations;
      e. Eliminate the use of the Social Security number (SSN) as an identification number for university-related business transactions;

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f. Increase awareness of the confidential information; and
g. Ensure appropriate and consistent handling of confidential information throughout the University.

III. Personnel Files

A. N.D.C.C. Section 54-06-21 states that the "official" personnel file is "the file maintained under the supervision of the agency head or designated representative." At NDSU, the "official file" location is designated as follows:

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Non-Broadbanded Employees	
Faculty (ranked)	Dean's Office
Lecturers and Graduate assistants	Dean's Office
Extension/Ag. Experiment staff	VP of Agriculture
Other non-broadbanded staff	Office of Human Resources/Payroll
All Broadbanded employees	Office of Human Resources/Payroll

B. Personnel files must include an access record. The access record must contain the date and name of any person viewing the file except when the custodian of the file is inserting salary, insurance, medical, tax, Workers Compensation, pretax benefits, deferred compensation information or employment forms pursuant to N.D.C.C. Section 54-06-21.

~~Student education records are confidential and access to those records is restricted according to the Family Education Rights and Privacy Act of 1974, as amended (FERPA). Pursuant to FERPA, each institution shall:~~

~~a) Adopt a policy as required by 34 CFR Section 99.7;~~

~~b) Annually notify students currently in attendance of their rights under FERPA;~~

~~c) Except as provided under FERPA and 34 CFR Section 99.31, relating to conditions under which personally identifiable information may be disclosed without consent, obtain a signed and dated written consent of a student before it discloses personally identifiable information from the student's education records;~~

~~d) Maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student as required by 34 CFR Section 99.32;~~

~~e) Provide the notice required by 34 CFR Section 99.37 concerning disclosure of directory information;~~

~~f) Adopt procedures implementing FERPA provisions governing release and transfer of student disciplinary records. Consistent with FERPA, student disciplinary records are confidential and may be released only as permitted under FERPA and implementing institution procedures; and~~

~~g) Comply with all other requirements of FERPA and applicable regulations.~~

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NDSU Guidelines:

NDSU provides an annual notice informing students of their FERPA rights which constitutes its FERPA policy. Other provisions related to FERPA rights can be found in Policy 601 Code of Student Behavior.

- Records of former students, including deceased former students, are confidential except that records of deceased former students may be released or disclosed at the request of a parent, personal representative, or other qualified representative of the student's estate, or pursuant to a court order or subpoena.

- Access to and disclosure of campus police records is governed by N.D.C.C. Section 44-04-18.7. Accordingly, active criminal intelligence information and active criminal investigative information are exempt from the open records law. Each campus law enforcement agency shall maintain a list of all files containing active criminal intelligence and investigative information which have been in existence for more than one year, which shall be subject to disclosure under N.D.C.C. Section 44-04-18.

  a) Campus police records which are open and must be disclosed under Section 44-04-18.7 include: arrestee description; facts concerning the arrest; conviction information; disposition of all warrants; a chronological list of incidents, including initial offense report information; a crime summary, including a departmental summary of crimes reported and public calls for service; radio log; and general registers.

  b) Law enforcement records and files concerning a child, as that term is defined at N.D.C.C. ch.27-20, shall be kept separate from the records and files of adults and shall not be open to public inspection and may not be disclosed except according to the provisions of N.D.C.C. ch. 27-20.

  c) Records of undercover law enforcement officers are confidential and exempt from the open records law as provided by N.D.C.C. Section 44-04-18.3.

- Personnel records, other than personnel records that relate to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student, are public records open to inspection by the public. However, pursuant to N.D.C.C. Section 44-04-18.1, employee medical and employee assistance program records are confidential and may not be placed in an employee's personnel file and may not be released without the written consent of the employee. Further, personal information as defined in section 44-04-18.1, including a person's home address, home telephone number, photograph, medical information, motor vehicle operator's identification number, social security number, payroll deduction information, the name, address, phone number, date of birth of any dependent or emergency contact, any credit, debit or electronic fund transfer card number, and any account number at a bank or other financial institution, are exempt from the open records law and may be released only as required by law, pursuant to an institution policy or with the employee's written consent. Placement of documents in an employee's personnel file is governed by N.D.C.C. Section 54-06-21.

NDSU Guidelines:

a) N.D.C.C. Section 54-06-21 states that the "official" personnel file is "the file maintained under the supervision of the agency head" or designated representative. At NDSU, the "official file" location is designated as follows:

Non-Broadbanded employees

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Faculty (ranked), lecturers and graduate assistants	*Deans Office*
Extension/Ag. Experiment, Staff	*VP of Agriculture Office*
Other non-broadbanded staff	*Office of Human Resources/Payroll*
All Broadbanded employees	*Office of Human Resources/Payroll*

b) Official files must include an access record. The access record must contain the date and name of any person viewing the file except when the custodian of the file is inserting salary, insurance medical, tax, Workers Compensation, pretax benefits, deferred compensation information or employment forms pursuant to N.D.C.C. Section 54-06-21.

- Additional records exempt from the open records law include (without limitation):

  a) Information pertaining to an employee's retirement account balance, disability applications and benefits, and surviving spouse applications and benefits under N.D.C.C. ch. 54-52 or a plan adopted by the board (N.D.C.C. Section 54-52-26);

  b) Certain economic development records (N.D.C.C. Section 44-04-18.2);

  c) Trade secret, proprietary, commercial and financial information (N.D.C.C. Section 44-04-18.4 and SBHE Policy 611.6);

  d) Computer software programs or components for which a copyright, patent or license is acquired (N.D.C.C. Section 44-04-18.5);

  e) Attorney work product (N.D.C.C. Section 44-04-19.1);

  f) Social security number, which is confidential under N.D.C.C. Section 44-04.28

- Copies of records not exempt from section 44-04-18 shall be provided upon request. Copies shall be made of records and documents in the form filed or kept in the normal course of business and employees are not required to retrieve and collate or summarize data or prepare other special reports or documents not required by law or otherwise prepared in the normal course of business. A fee for allowing access to documents may not be assessed; however, each institution shall establish and collect a fee to cover reasonable copying costs, including reasonable cost of computer generated documents. The fee for standard paper copies may not exceed twenty five cents per copy as provided under section 44-04-18. A fee not to exceed twenty five dollars per hour, excluding the first hour, may be charged per request for locating records if locating the records requires more than one hour or for excising confidential or closed material if excising the material requires more than one hour. Access to electronically stored records is free if the records are recoverable without the used of computer backup; if a request is made for access to a record on a back-up or for a copy of an electronically stored record an additional reasonable fee may be charged to cover costs attributable to the use of information technology resources.

NDSU Guidelines:

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a) ~~NDSU departments may charge a fee up to twenty-five cents per page for paper copies provided to persons requesting copies under the Open Records Act. A reasonable fee can be charged for electronic copies as well as costs for the use of technology resources. A fee of up to $25/hour, excluding the first hour, can be charged for locating records or redacting information that is not open.~~

b) ~~Monies collected from the persons making such requests must be deposited at the NDSU Customer Account Services Office at least weekly, daily if amounts collected are $200 or greater (see policy 508.)~~

c) ~~Responses to open records requests, other than routine requests in the normal course of business in an office or department, shall be coordinated through:~~

   1. ~~From the media: The Office of the Vice President for University Relations.~~

   2. ~~From other sources: The Assistant Attorney General assigned to the University.~~

d) ~~State law mandates that responses to open records cannot be unreasonably delayed, so that such requests must be given a high priority.~~

~~**NDSU Policy on Restricted Personally Identifiable Information**~~

a) ~~North Dakota State University recognized that it collects and maintains confidential/sensitive information relating to its students, employees, and individuals associated with the university and is dedicated to ensuring the privacy and proper handling of this personally identifiable information (PII).~~

b) ~~Social Security Numbers (SSN) and other restricted personally identifiable information are confidential and legally protected data. The university is committed to maintaining the privacy and confidentiality of an individual's personally identifiable information including, but not limited to, Social Security Numbers. Therefore, the use of the SSN as an identification number shall be limited.~~

c) ~~NDSU recognizes the use of the North Dakota University System ID number (EmplID) as the primary identification number for students, employees, and any person with a recurring business, educational, and/or research relationship with NDSU.~~

d) ~~The Federal Privacy Act of 1974 and related amendments establish guidelines regarding state agency requests for the social security number. It is the duty of the university to inform individuals whether a given use of social security numbers is mandatory and the legal authority therefore, the principal purpose(s) for the request, and the effects of not providing it. Data confidentiality is also mandated by NDCC sec. 44-04-28, 44-04-18.9 and 44-04-27; NDUS Procedure 1901.2 and its NDUS Data Information Technology Security Standard; other state and federal laws and regulations; system and NDSU policies, and various industry regulations.~~

e) ~~This policy and derived procedures provide guidelines and procedures on the proper use and disclosure of Social Security Numbers and other restricted PII such as credit/debit card numbers. Goals of the policy and procedures are to:~~

   i. ~~Eliminate use of the SSN as a publicly visible identification number for university related business transactions.~~

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ii. ~~*Increase awareness of the confidential nature of restricted PII such as Social Security Numbers and credit/debit card numbers.*~~

iii. ~~*Reduce reliance upon the SSN for identification purposes.*~~

iv. ~~*Ensure appropriate and consistent handling of SSNs and other restricted PII throughout the university.*~~

v. ~~*Provide for assessments and audits of processes, applications, or systems used by or for NDSU entities. The assessments will be done by the NDSU IT Security Officer and the NDSU Audit and Advisory Services office. Audits will be done by Audit and Advisory Services.*~~

~~*f) Procedures and materials required to support and enforce this policy will be developed and maintained by the NDSU IT Security Officer and the NDSU Audit and Advisory Services Office.*~~

HISTORY:

New	May 1998
Amended	April 2003
Amended	October 2005
Amended	October 2007
Amended	November 2008
Housekeeping	October 2, 2015

Table mapping NDSU's Existing GE Categories to the New Undergraduate Learning Outcomes
(created by the GE Committee in response to the December 14, 2015 charge from the Faculty Senate)

Existing NDSU Categories	**Core New Undergraduate Learning Outcome for Each Category**	**Possible Secondary New Undergraduate Learning Outcomes for Each Category**
First Year Experience (F)	Personal & Social Responsibility	
Communication (C)	Communication	Critical Thinking, Diversity and Global Perspectives, Technology, Personal & Social Responsibility
Quantitative Reasoning (R)	Critical Thinking, Creative Thinking, and Problem Solving	Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Science & Technology (S)	Natural and Physical Sciences or Technology	Critical Thinking, Diversity and Global Perspectives, Communication, Personal & Social Responsibility
Humanities & Fine Arts (A)	Human Societies	Critical Thinking, Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Social & Behavioral Sciences (B)	Human Societies	Critical Thinking, Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Social & Behavioral Sciences –Wellness (W)	Personal and Social Responsibility	Critical Thinking, Diversity and Global Perspectives, Technology, Communication, Personal & Social Responsibility
Cultural Diversity (D) (embedded in other category)	Human Societies	Diversity and Global Perspectives
Global Perspectives (G) (embedded in other category)		
General Education Categories that do not follow standard review procedures		
Upper Division Writing (approved by the GE Committee after review from the English Department Writing in the Disciplines Committee)	Communication	Critical Thinking, Diversity and Global Perspectives, Technology, Personal & Social Responsibility
Capstone in major (not presently reviewed by the GE Committee)	Critical Thinking, Creative Thinking, and Problem Solving	Communication, Diversity and Global Perspectives, Technology, Personal & Social Responsibility

For Faculty Senate:

Approved General Education Recommendations

For Faculty Senate Meeting on (month/year): April 18

Outcomes Key:

1. Communicate effectively in a variety of contexts and formats.
2. Locate and use information for making appropriate personal and professional decisions.
3. Comprehend the concepts and perspectives needed to function in national and international societies.
4. Comprehend intrapersonal and interpersonal dynamics.
5. Comprehend concepts and methods of inquiry in science and technology, and their applications for society.
6. Integrate knowledge and ideas in a coherent and meaningful manner.
7. Comprehend the need for lifelong learning.

Courses Approved for General Education (New)

Course No.	Course Title	Recommended Categories	Recommended Outcomes
ENGL 229	Introduction to Creative Writing	Humanities and Fine Arts	Primary - Human Societies, Secondary - Communication

Courses Withdrawn from General Education List of Approved Courses

Course No.	Course Title	Categories	Dept or GE Request

Continued Approval (5-Year Renewal) for General Education with No Changes in Outcomes

Course No.	Course Title	Categories	Outcomes

Continued Approval (5-Year Renewal) for General Education with Changes in Outcomes

Course No.	Course Title	Categories	Previous Outcomes	Recommended Outcomes

Returned to Department/Instructor for Revision/Further Information/Clarification		
Course No.	**Course Title**	**Reason for Return**

NDSU Faculty Senate
May 9, 2016
Prairie Rose, Memorial Union
Agenda

I. Call to Order

II. Attendance

III. Approval of previous meeting minutes from April 2016

IV. Consent agenda
   a. Academic Affairs Report (attachment 1)
   b. Policy changes (attachment 2) (All housekeeping changes: 100-816; information only: 156-183)
      - 100
      - 171
      - 603
      - 703
      - 707
      - 802
      - 816
      - 156
      - 183

V. Announcements
   a) Dean Bresciani, President
   b) Beth Ingram, Provost
   c) Dennis Cooley, Faculty Senate President
   d) Katie Gordon, Faculty Senate President-Elect
   e) Gennifer Sprecher, Staff Senate President
   f) Spencer Moir, Student Government President

VI. Senate Committee Reports
   a. Report from ad hoc committee on Campus Safety and Security Survey - Carol Cwiak

VII. Unfinished Business
   a. Proposal to merge Academic Affairs and General Education committees (attachment 3)
   b. Proposal to change FS Budget Committee (attachment 4)
   c. General Education Committee – Joe Mike Jones and Crosswalk (Attachment 5)

VIII. New Business
   a. Election of Faculty Senate President-Elect
      i. Stuart Haring (attachment 6)
      ii. Carlos Hawley (attachment 7)
      iii. Bob Pieri (attachment 8)
   b. Policy 190 (attachment 9)
   c. Policy 352 (attachment 10)
   d. Policy 801 (attachment 11)

e. Policy 813 (attachment 12)
f. Policy 325
g. Passing of the Gavel

IX. Adjourn

Academic Affairs Committee Report
For Faculty Senate Meeting on May 9, 2016

Program Changes
B.S. in Agricultural and Biosystems Engineering – removing CE 310 as a required course for the AGEN concentration
B.S. in Animal Science – change in guided electives and experiential learning credits
Minor in Animal Science – changes to reflect course re-numbering
B.S. in Construction Management – replacing selective admission with a CGPA requirement of 2.50 for degree completion
B.S/B.A. in English – adding a new category to better structure the major and create better continuity
B.S. in Equine Science – clearer wording for MATH requirement
B.S. in Exercise Science – removing HNES 210 as a required course for the major
Minor in Horticulture – changing course requirements to better match the field of study
Minor in Large Animal Veterinary Technology – requiring BOTH ANSC 220 and ANSC 463 and a 400-level Production course
B.S.M.E. in Mechanical Engineering – adding a course to technical electives
B.S. in Microbiology – adding MICR 352 and MICR 352L to required courses for the major
Minor in Microbiology – increasing focus on Microbiology courses
B.S. in Political Science, Public Service option – eliminating selective admission
B.S. in Political Science, Pre-Law option – eliminating selective admission
B.S. in Political Science, Standard – eliminating selective admission
Minor in Political Science – eliminating selective admission
B.S./B.A. in Psychology – removing STAT 330 as a requirement for the major
Minor in Religious Studies – adding structure and increased rigor
B.S./B.A. in Statistics – removing STAT 476 and STAT 491 as requirements for the major
B.S./B.A. in Theatre Arts – adding 5 additional classes to the electives section

Program Inactivations/Terminations
B.S. in Sports and Urban Turfgrass Management

New Courses

Subject	No.	Title	Crs.	Effective Term
AGEC	356	Advanced Agricultural Lending	3	Spring 2017
ASM	423/623	Agricultural Waste Management and Utilization	3	Spring 2017
CM&E	486	Building HVAC Design	3	Fall 2016
ENVD	102	Drawing Basics for Environmental Designers	1	Fall 2016
ENVD	104	Environmental Design Fundamentals	1	Fall 2016
HDFS	480	Community Resources of Later Life	3	Fall 2016
MATH	453/653	Introduction to Lebesgue Measure	3	Fall 2016
MRKT	436	Advanced Professional Selling	1	Fall 2016
MRKT	438	Customer Relationship Management (CRM) and Sales Technology	3	Fall 2016
PLSC	416/616	Fruit Crop Production	2	Fall 2016
PLSC	625	Potato Science	2	Spring 2017
RELS	340	New Religious Movements	3	Fall 2016
RELS	345	Religion and Politics	3	Fall 2016
RELS	460/660	Theory and Methods of Religious Studies	3	Summer 2016
THEA	345	Devising	3	Fall 2016
WGS	370	Transnational/Global Women	3	Fall 2016

Course Changes

From:				***To:***				
Subject	**No.**	**Title**	**Crs.**	**Dept**	**No.**	**Title**	**Crs.**	**Effective Term**
ENVD	172	Environmental Design Fundamentals	4	ENVD	172	**Environmental Design Fundamentals Studio**	**3**	Fall 2016
HNES	789	Athletic Training Clinical Education IV	3	HNES	789	Athletic Training Clinical Education IV	**2**	Spring 2017
MATH	129	Basic Linear Algebra	2	MATH	129	Basic Linear Algebra	**3**	Spring 2017
PLSC	362	Potato Science	2	PLSC	**425**	Potato Science	2	Spring 2017
RNG	336	Introduction to Range Management	3	RNG	**136**	Introduction to Range Management	3	Fall 2016
ZOO	450/650	Invertebrate Zoology	4	ZOO	450/650	Invertebrate Zoology	**3**	Fall 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions

Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
AGEC	339	Quantitative Methods & Decision Making	Prereq: ECON 201 and MATH 144 or higher and CSCI 116	Fall 2016
CPM	473	Polymer Synthesis	Prereq: CHEM 240 or CHEM 342	Fall 2016
ENVD	130	Drawing for Environmental Engineers	Desc: Introduction to the skills of graphic expression as employed in architecture and landscape architecture. Co-req: ENVD 102	Fall 2016
HNES	351	Metabolic Basis of Nutrition	Prereq: eliminating CHEM 240	Fall 2016

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions (continued)				
MATH	129	Basic Linear Algebra	Desc: Systems of linear equations, matrices, determinants, vector spaces, lines and planes in space, linear transformations, eigenvalues and eigenvectors.	Spring 2017
STAT	764	Multivariate Methods	Prereq: STAT 661	Fall 2016

Course Inactivations				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
PHRM	300	Principles of Clinical Pharmacology	3	Fall 2016

New Special Topics				
Subject	**No.**	**Title**	**Crs.**	**Effective Term**
THEA	399	Clown	3	Summer 2016

Policy *100* Version *1* *04/11/2016*

Policy Change Cover Sheet

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

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

SECTION: NDSU Policy 100 – Equal Opportunity and Non-Discrimination

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes XXX ☐ No
   - Describe change: Some of the changes are based on federal or state mandates while others are included in an effort to clarify the policy. Explanation of most pertinent changes/additions found below.
   - (1) "and regulations" – per SBHE Policy 603.1
   - (2) "in furtherance of" – for clarification
   - (3) "NDSU prohibits discrimination and harassment…" – per SBHE Policy 603.1, in alignment with revised Policy 156, and to clarify that Policy 100, entitled "Equal Opportunity and Non-Discrimination," both promotes equal opportunity and prohibits discrimination (including harassment)
   - (4) removal of "disability" – for clarification (redundant as "physical or mental disability" later addressed in policy)
   - (5) "physical **or** mental disability" – per SBHE 603.2
   - (6) "of the employee or applicant" – for clarification and in alignment with SBHE Policy 603.2, SBHE Policy 603.3., and NDCC 44-04-09
   - (7) "that are made available to NDSU participants, students, applicants, or employees" – per Title IX and Section 504 regulations
   - (8) "in its programs and activities" – per Title IX regulations
   - (9) removal of "disability" – see (4)
   - (10) "participation in lawful off-campus activity" – for clarification and to encompass entirety of protected classes found in Policy 100
   - (11) "physical **or** mental disability" – see (5)
   - (12) "spousal relationship to current employee" – for clarification and to encompass entirety of protected classes found in Policy 100
   - (13) "as applicable" – for clarification as all protected classes do not apply to all individuals at NDSU (for example, "spousal relationship to current employee" only applies to individuals who are employees or applicants for employment at NDSU)
   - Additionally, revisions address recent changes in Title IX responsibility at NDSU.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Canan Bilen-Green, Vice Provost for Faculty and Equity, Old Main, Suite 201
   - canan.bilen.green@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 100
EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

SOURCE: NDSU President
SBHE Policy 603.1
SBHE Policy ~~Manual, Section~~ 603.2

North Dakota State University (NDSU) is fully committed to equal opportunity in its employment decisions and educational programs and activities, in compliance with all applicable federal and state laws and regulations and in furtherance of~~including~~ appropriate affirmative action efforts. NDSU prohibits discrimination and harassment against any ~~, for all~~ individual~~s~~ on the basis of~~without regard to~~ age, color~~, disability~~, gender expression/identity, genetic information, marital status, national origin, physical or~~and~~ mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.

Additionally, d~~D~~iscrimination against an employee or applicant for employment, with respect to working conditions, work place assignment, or other privileges of employment, merely because the employee's or applicant's spouse is also an employee, is prohibited. Employment in a department or institution headed or supervised by the employee's or applicant's spouse is permitted only if the spouse does not have the power to hire or fire or make evaluations of performance of the employee or applicant.

The following statement~~notice~~ must be included in all ~~departmental publication such as~~ bulletins, announcements, manuals, publications, guidebooks, brochures, pamphlets, catalogs, application forms, or recruitment materials that are made available to NDSU participants, students, applicants, or employees:~~describing or inviting participation in programs at North Dakota State University. (This notice is not required on departmental homepages.)~~

~~Non-Discrimination Policy:~~

NDSU~~North Dakota State University~~ does not discriminate in its programs and activities on the basis of age, color~~, disability~~, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or~~and~~ mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable~~status as a U.S. veteran~~. Direct inquiries to: Vice Provost, Title IX/ADA Coordinator, Old Main 201, 701-231-7708, ndsu.eoaa@ndsu.edu.

~~Vice Provost for Faculty and Equity~~
~~Old Main 201~~
~~701-231-7708~~

~~Title IX/ADA Coordinator~~
~~Old Main 102~~
~~701-231-6409~~

HISTORY:

New	May 1972
Amended	April 2, 1991
Amended	April 1992
Amended	August 1993
Amended	August 1999
Amended	February 2005
Amended	December 2007
Amended	June 12 2009
Amended	July 8, 2009
Housekeeping	September 2009
Amended	June 1, 2011
Housekeeping	June 22, 2011
Housekeeping	July 23, 2014
Amended	October 19, 2015
Housekeeping	October 22, 2015

Policy *171* Version 1 *3/23/2016*

Policy Change Cover Sheet

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

SECTION: 171 Staff and Faculty Recruitment and Moving Expenses

4. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☒ Yes ☐ No
   - Describe change: To be compliant with NDCC and include section 3 of SBHE policy 806.3 Moving expenses which was omitted in the last amendment dated 10/5/2015.

5. **This policy change was originated by (individual, office or committee/organization):**
   - Accounting Office, Ricki Martin, 3/22/2016
   - Ricki.martin@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
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SECTION 171
STAFF AND FACULTY RECRUITMENT AND MOVING EXPENSES

SOURCE: NDSU President
SBHE Policy Manual, Sections 806.2 and 806.3
NDSU Policy Manual

1. Stipends or consultant fees may be issued to potential candidates for positions when such persons give on-campus lectures, colloquies, seminars, demonstrations or formal consultations in a manner not significantly different from that of visitors who are not candidates for positions. Such stipends or consultant fees may be authorized from a lecturers' budget or from a consultant budget. *(NDSU Guidelines: Reimbursement is made by an* ***Accounts Payable voucher****, using account 623025.)*

2. Recruitment travel expenses for a prospective candidate for faculty or staff positions may be reimbursed upon approval of department head/chair.

3. For senior administrative and faculty positions, upon authorization of the President, recruitment travel expenses for the spouse may be authorized for a prospective candidate.

4. Upon approval of the president or designee(s), an institution may, subject to the limits of this policy, pay the moving expenses of a benefited employee hired from outside the institution by:

   4.1. Negotiating an amount paid to the employee through payroll as a lump sum for relocation expenses. Such allowance will be reported as taxable income and included on the employee's W-2. The moving allowance will be subject to all tax liabilities at the time of payment; OR

   4.2. Using a combination of reimbursing the employee for actual moving expenses and paying the vendor(s) directly. Actual moving expenses include direct travel to and from the new work location, and while in temporary living quarters for the employee and immediate family (not to exceed 10 days total). Meals and mileage expenses will be reimbursed at the per diem and mileage rates established for employee travel reimbursement. Lodging expenses will be reimbursed at the actual cost of the lodging. Transportation expenses for personal items and household goods may be reimbursed at the actual expenses incurred. Additionally, personal travel expenses may also be reimbursed for one round trip to the new work location for the employee and employee's spouse/partner for up to three days to arrange for living

accommodations. It is the responsibility of the employee to provide sufficient documentation to justify the reimbursement; the institution may deny any claim for reimbursement that is not sufficiently documented. Institutions will need to refer to IRS rules and regulations regarding taxability of the expenses in part 4.2.

(Institutions may use either method (4.1 and 4.2, above) but must choose one or the other when paying each individual employee.)

5. Relocation expenses being paid or reimbursed should not exceed one month's salary or a "not to exceed" amount approved by the president or designee(s). (*NDSU LIMITATIONS: Reimbursement for relocation expenses should not exceed one month's salary or $3,000, whichever is greater. Deviations from this rate must be approved by the President and will only be granted in exceptional circumstances.)*

6. The moving expenses of employees transferring to a new work location within the same institution shall be governed by N.D.C.C. 44-08-04.3.

The following item is NDSU Guidelines:

~~6~~7. The NDSU Accounting Office website provides information on the detailed procedures for processing moving expense transactions under this policy.

HISTORY:

New	July 1990
Amended	April 1992
Amended	January 1995
Amended	April 2005
Amended	August 2006
Amended	June 9, 2011
Housekeeping	July 8, 2011
Housekeeping	September 12, 2012
Amended	September 25, 2012
Amended	October 4, 2012
Amended	October 5, 2015

Policy 603 Version 1 04/08/2016

Policy Change Cover Sheet

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SECTION: 603 SEXUAL MISCONDUCT AND TITLE IX COMPLIANCE

7. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Housekeeping changes as follows:
     - Updating the name, title, and contact information of the new Title IX Coordinator
     - Updating broken links in Sections 6a and 8b

8. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted: Student Life / Mary Asheim 4/8/16
   - Email address of the person who should be contacted with revisions: mary.asheim@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 603
SEXUAL MISCONDUCT AND TITLE IX COMPLIANCE

SOURCE: NDSU President

1. INTRODUCTION: North Dakota State University (NDSU) strives to create a campus community free from interpersonal abuse including sexual misconduct. In working to achieve this intent, NDSU commits to:

   a) Taking action to stop sexual misconduct;

   b) Taking action to remedy its effects by providing advocacy, support and appropriate referral services for recipients of the behavior;

   c) Taking action to prevent recurrence;

   d) Educating individuals and promoting discussions on interpersonal abuse and violence; and

   e) Conducting impartial investigation of all reports/notices of sexual misconduct through fair, equitable and prompt procedures. Investigations will be independent of and separate from law enforcement investigations of criminal activity.

2. POLICY: This policy is required by federal law and implementation of this policy is guided by the U.S. Department of Education, Office of Civil Rights.

   a) Sexual misconduct is prohibited in all forms, regardless of intent to harm. Sexual assault, sexual exploitation, coercion and sexual harassment are examples of sexual misconduct, and all are prohibited.

   b) Also prohibited under Title IX is any rule violated on the basis of the recipient of the behavior's sex/gender which is severe enough to cause a discriminatory effect. (Examples of this may include but are not limited to bullying, cyber-bulling, relationship violence and stalking.)

3. DEFINITIONS: For the purpose of this policy, the following definitions apply:

   a) Consent is:

      1. Words or actions showing a clear, knowing and voluntary agreement to engage in mutually agreed upon sexual act; or

      2. An affirmative decision given by clear actions or words.

3. Consent may not be inferred from:

   i. Silence, passivity, or lack of active resistance alone.

   ii. A current or previous dating or sexual relationship.

   NOTE:
   It is important to obtain explicit consent from any sexual partner and not to make assumptions. If confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Consent to one form of sexual act does not imply consent to other forms of sexual act(s).

b) Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

c) Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).

d) Intimidation is implied threats or acts that cause an unreasonable fear of harm in another.

e) Responsible employees:

   1. Those with authority to address and remedy sex and gender-based discrimination and harassment;

   2. Those with responsibility to report sexual misconduct to a supervisor; and/or

   3. Those who a student would reasonably believe have such authority or obligation.

f) Retaliation: Any adverse action taken against a person because of their participation in a protected activity. Retaliation against an individual for alleging sexual misconduct, supporting a complainant or for assisting in providing information relevant to a claim of sexual misconduct will be treated as another possible instance of harassment or discrimination. Any acts of alleged retaliation should be reported immediately to the Title IX Coordinator or a Deputy Title IX Coordinator and will be promptly investigated. NDSU is prepared to take appropriate steps to protect individuals who fear that they may have been subjected to retaliation.

g) Sexual Acts include, but are not limited to the following actions:

   1. Sexual intercourse;

   2. Sodomy (oral and/or anal);

3. Sexual penetration with any object;

4. Sexual touching of a person's intimate parts (genitalia, groin, breasts, buttocks, mouth or other bodily orifice or the clothing covering them); or

5. Compelling a person to touch his or her own or another person's intimate parts.

h) Sexual Assault: Any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:

1. Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;

2. Use of intoxicants to substantially impair the person's power to give consent;

3. Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact. This includes, but is not limited to, situations when an individual is intoxicated, "high", scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or

4. A victim under fifteen (15) years of age. (Do note the age of consent may vary depending on the ages of the individuals involved in the act. For more information see: a *link to the Sexual Assault Prevention Programs location with this information will be provided here.)*

i) Sexual Exploitation: Taking sexual advantage of another person without consent. Examples include, but are not limited to:

1. Causing the incapacitation of another in order to take sexual advantage of the person;

2. Distributing or publishing sexual information;

3. Engaging in indecent exposure;

4. Engaging in voyeurism (the viewing of another for sexual gratification);

5. Invasion of sexual privacy;

6. Knowingly exposing another to an STD or HIV;

7. Prostituting another person; or

8. Recording, photographing, or relaying sexual sounds or images.

j) Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual; or

3. Such conduct has the effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment.

k) Sexual Misconduct: Any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome that is sufficiently severe, persistent, or pervasive so as to limit a student's ability to participate in or benefit from an NDSU program or activity. Depending on the circumstances, a single incident of sexual misconduct may be sufficient to limit a student's ability to participate in or benefit from an NDSU program or activity.

4. REPORTING/CONFIDENTIALITY: Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. If criminal activity is involved, students are encouraged to contact NDSU Police or your local law enforcement. NDSU employees who became aware of a complaint or violation of this policy and have the authority to take action on the complaint or violation, shall report the complaint or violation either to the Title IX Coordinator or a Deputy Title IX Coordinator:

~~Eveadean M. Myers~~Canan Bilen-Green, Vice ~~President~~ Provost for Faculty and Equity~~, Diversity and Global Outreach~~/Title IX Coordinator
~~Putnam 102~~Old Main 201
Phone: 701-231-~~7708~~7040; email: ~~evie.myers@ndsu.edu~~
canan.bilen.green@ndsu.edu

Janna Stoskopf, Dean of Student Life/Deputy Title IX Coordinator
Memorial Union 250
Phone: 701-231-8240; email: janna.stoskopf@ndsu.edu

Colleen Heimstead, Associate Athletics Director for Compliance/Deputy Title IX Coordinator
Bison Sports Arena 102W
Phone: 701-231-5696; email: colleen.heimstead@ndsu.edu

The guiding principle in accepting reports or sexual misconduct is to avoid re-victimizing the recipient of the behavior by forcing them into any plan of action. NDSU will make every attempt to safeguard the privacy of the complainant and/or recipient of the behavior; however, it is important that complainants recognize that NDSU cannot ensure confidentiality in all cases. NDSU must weigh the request for confidentiality against its obligation to protect the safety and security of the entire campus. Depending on the circumstances of the offense (the severity of the offense, the number of victims involved, etc.), NDSU may be required to respond to an incident, even if confidentiality has been requested. Therefore, NDSU employees cannot guarantee

absolute confidentiality. Individuals desiring confidentiality should be encouraged to contact one of the following:

F-M Rape & Abuse Crisis Center: 701-293-7273 (Available 24 hours) www.raccfm.com
NDSU Counseling Center: 701-231-7671 (Available 24 hours)
http://www.ndsu.edu/counseling/

5. FORMAL/INFORMAL RESOLUTION: NDSU offers both formal and informal resolution of sexual misconduct complaints involving NDSU students, faculty or staff. Regardless of the path chosen by the recipient of the behavior, NDSU will conduct an impartial, fair, and prompt investigation into the allegations, and ensure that actions will be taken to prevent similar actions in the future. Typically, investigation/resolution of the complaint will occur within 60 days. The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy. Investigation/resolution of the allegations shall include:

   a) The complainant and the accused having equal opportunities to present relevant witnesses and other evidence;

   b) Providing both sides with similar and timely access to any information that will be used during the process;

   c) Equal opportunity to have a support person present, and equal restrictions on how a support person may participate during the process;

   d) The right of the complainant and the accused to be informed of the outcome of the investigation/resolution, and the right of either party to appeal; and

   e) The right of the complainant and the accused to receive periodic status updates throughout the investigation/resolution process.

6. FORMAL RESOLUTION**:** Formal resolution of sexual misconduct complaints will be resolved as follows:

   a) If the alleged perpetrator is a student, the University will follow the procedure outlined in NDSU Rights and Responsibilities of Community: A Code of Student Behavior.

   b) If the alleged perpetrator is an NDSU employee, the University will follow the applicable policy for the circumstances (e.g. Policy 156: Equal Opportunity Grievance Procedures, Policy 162: Sexual Harassment).

   c) All sexual misconduct cases shall use a "preponderance of the evidence" standard; meaning that in order for the accused to be held responsible, the hearing officer must determine that it is more likely than not that the sexual misconduct occurred.

7. INFORMAL RESOLUTION: Except in cases of sexual assault which always require a formal resolution, complainants may choose to pursue informal resolution of their complaint. Informal resolution is entirely voluntary and the complainant may end informal resolution at any time. Complainants should never attempt to resolve the complaint directly with the accused. In cases of informal resolution, the Title IX Coordinator shall assign a school official with the authority to remedy the alleged violation (e.g. Dean of Student Life, the alleged perpetrator's supervisor, etc.)

to oversee the informal resolution process. Informal resolution provides the complainant with a forum to confront the accused; to express how the alleged behavior has impacted them and those close to them; and to communicate to the accused and the University how this behavior needs to be addressed so that they, or anyone else at the University, are not victimized again by the behavior.

a) In cases where the accused acknowledges their involvement in the sexual misconduct, the school official shall impose an appropriate sanction for the misconduct. If the sanction is agreeable to the parties, the informal resolution is complete, and the sanction is imposed. No appeal is allowed.

b) In cases where the accused does not acknowledge responsibility, the school official may impose a sanction warranted by the information gathered during the informal resolution, and any supporting information known to the University. The sanction may be appealed either to the Title IX Coordinator or to the Dean of Student Life/Deputy Title IX Coordinator, who shall have the final decision on the appropriate sanction.

8. ANONYMOUS COMPLAINTS: Anonymous complaints will be accepted by the University. The University's ability to investigate and resolve anonymous complaints will be limited if the information contained in the anonymous complaint cannot be verified by independent facts. Anonymous complaints may be filed by any of the following means:

a) Bias Report Form: https://www.ndsu.edu/biasreport/

b) Dean of Student Life Anonymous Report Form https://www.ndsu.edu/student_life/departments_and_programs/sexual_assault_prevention/report_a_sexual_assault/file_an_anonymous_report/

c) Sexual Assault Resources and Advocacy (SARA): http://www.ndsu.edu/student_life/departments_and_programs/sexual_assault_prevention/get_help_now/

9. INTERIM MEASURES: When warranted by the circumstances surrounding a complaint of sexual misconduct, the University may implement interim measures until its investigation concludes. Violation of these interim measures may be considered grounds for additional complaints of sexual misconduct or as retaliation for the ongoing investigation of sexual misconduct. Potential interim remedies include, but are not limited to:

a) Providing an escort to the complainant so that he/she may move safely on campus;

b) Issuing a no contact order to the parties, prohibiting any contact between them;

c) Moving the complainant and/or accused to different University housing;

d) Altering the class schedule of the parties so that they do not attend the same classes;

e) Providing counseling services; and

f) Providing academic support services.

10. PREVENTION: NDSU considers both physical surroundings and educational programming in addressing prevention of sexual misconduct. The University continually reviews and modifies the physical surroundings to foster security and safety, including but not limited to such factors as emergency phones, lighting, and locking procedures. For further safety information, contact the NDSU University Police and Safety Office: 701-231-8998 (NDSU University Police) or 701-231-7759 (Safety Office). NDSU offers curricular and co-curricular educational experiences concerning bystander intervention, primary prevention efforts, personal safety, sexual assault, and sexual misconduct. For further information on pertinent campus educational opportunities, contact the NDSU Dean of Student Life Office at 701-231-6560. http://www.ndsu.edu/student_life/

11. INTERVENTION: The NDSU community actively supports individuals who experience sexual misconduct through a coordinated response system that attends to their physical and emotional well-being. NDSU disciplinary efforts respect the personal rights of all parties. For further information, see NDSU Rights and Responsibilities of Community: A Code of Student Behavior and NDSU Calendar Handbook distributed by Residence Life. All reports/notices of sexual assault and sexual misconduct are handled in a manner designed to respect the privacy of the involved individuals, to the extent permitted by law. Incidents are reported to appropriate Departments and agencies in consideration of safety concerns and investigative needs. In addition, NDSU publishes and disseminates annual statistics on incidents of sexual assault in the annual Personal Safety and Security publication (available in printed and online form). http://www.ndsu.edu/police_safety/police/annualsecurityreport/

12. FALSE COMPLAINTS: Knowingly submitting a false report of sexual misconduct is prohibited. Anyone submitting a false report is subject to disciplinary action.

13. FOR MORE INFORMATION on sexual assault and sexual assault prevention programs, please contact the NDSU sexual assault advocate at ndsu.sa-advocate@ndsu.edu.

HISTORY:

New	September 1995
Amended	October 2007
Amended	January 2008
Amended	June 3, 2011
Amended	September 12, 2013
Housekeeping	September 17, 2013
Housekeeping	July 23, 2014

Policy 703 Version 1 04/04/2016

Policy Change Cover Sheet

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

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

SECTION: 703 Bison Card Terms and Conditions

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

- Is this a federal or state mandate? ☐ Yes X☐ No
- Describe change: Card Center Name change. Declining Value Account Name Change. Replaced Bison Card and Bison Bucks with NDSU Card and Campus Cash.

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

- Office/Department/Name and the date submitted NDSU Card Center/Wendy McCrory/04/05/2016
- Email address of the person who should be contacted with revisions wendy.mccrory@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

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SECTION 703

~~BISON~~ NDSU CARD TERMS AND CONDITIONS

SOURCE: NDSU President

A. ~~BISON CARD~~NDSU CARD.

The NDSU ~~Bison Card~~Card is the official North Dakota State University identification card. All faculty, staff and students are required to have a ~~Bison Card~~NDSU Card for identification, security, and access to University buildings and services. The card must be carried at all times while on the NDSU campus. Cardholders must present the card for identification if requested by a University official. The card is valuable and should be treated like cash, a credit card or a key. See Policy 707 for policies on card/key access.

North Dakota State University issues an all-campus card subject to the following terms and conditions:

1. To obtain a ~~Bison Card~~NDSU Card, an individual must first be assigned a university generated identification number.

2. The ~~Bison Card~~NDSU Card is intended for campus use only and must be returned upon request.

3. The ~~Bison Card~~NDSU Card is non-transferable and will be confiscated and returned to the ~~Bison Card~~NDSU Card Center if found in the possession of another person.

4. The ~~Bison Card~~NDSU Card must be presented upon any request for campus services.

5. The cardholder will not damage or alter the card in any manner. This includes, but is not limited to, punching holes in or affixing unapproved stickers to the card.

6. The ~~Bison Card~~NDSU Card, transactions and activities related to the use of the card, and any account balances are the sole responsibility of the individual cardholder.

7. IMMEDIATELY report lost, found, or stolen cards to the NDSU University Police (701-231-8998).

8. A replacement ~~Bison Card~~NDSU Card can be obtained at the ~~Bison Card~~NDSU Card Center (Memorial Union). A photo ID is required at the time of replacement.

9. The ~~Bison Card~~NDSU Card is valid for as long as the person retains their student, faculty or staff status at NDSU.

10. A fee is charged for all new cards and a replacement fee is charged for any lost, stolen or invalid card. The first card for all faculty and staff will be charged to his/her department. Billing information is required at the time of the card production. Lost, stolen or invalid cards will be the responsibility of the employee.

11. Cardholders may only possess one valid ID card. Any card that has been replaced after the previous was lost or stolen is no longer valid. Cards cannot be reactivated.

12. Associate Status for any individual/group must have prior approval by the NDSU President or Vice President for Student Affairs. Associate Status is granted to groups or individuals who may work on campus, but are not students or staff or the University.

    12.1 Associate Status does not guarantee access to all NDSU activities, events, and facilities.

13. The NDSU Card Department Associate Director, Campus Police or Facilities Management may revoke a ~~Bison Card~~NDSU Card if it is determined that abuse of the privileges associated with the ~~Bison Card~~NDSU Card has occurred. Students who misuse their ~~Bison Card~~NDSU Cards may also be referred to the Dean of Student Life Office for possible disciplinary actions. Faculty or staff misuse will be reported to the faculty or staff members' supervisor.

B. ~~BISON BUCKS~~CAMPUS CASH ACCOUNT.
~~Bison Bucks~~Campus Cash is a debit card service that is linked to the NDSU ~~Bison Card~~NDSU Card. This benefit is free to ALL students, faculty and staff. There are NO hidden charges, expenses or interest.

1. A $5 minimum is required for opening a ~~Bison Buck~~Campus Cash account and for additional deposits.

2. No minimum balance must be maintained.

3. Cash refunds are not given for any ~~Bison Bucks~~Campus Cash purchases at any participating merchants. Credit is returned to the ~~Bison Bucks~~Campus

Cash account.

4. ~~Bison Bucks~~Campus Cash balances carry over from semester to semester. Refunds on any balance above $15 at the end of the academic year are available by submitting a Refund Form. For balances below $15, the customer is required to spend out this amount.

5. For those students who are graduating, withdrawing, or cancelling enrollment from the University, and who also have a balance of $15 or more on their ~~Bison Bucks~~Campus Cash accounts, the University will first apply the balance to the student's university account. If there is no money owed to the student's NDSU account, ~~the a~~a refund will be generated.

   5.1 If the check or direct deposit funds are returned, the University shall retain it for safekeeping for three years. Attempts are periodically made to contact the student until the time the check is written off and the money is turned over to the state abandoned property office.

   5.2 Checks that are neither returned nor cashed for more than two years after becoming payable are presumed abandoned (N.D.C.C. § 47-30.1-02.1).

   5.3 Uncashed NDSU checks are accounted for as outstanding checks until they are written off.

   5.4 When uncashed NDSU checks are written off, they are temporarily placed in a local NDSU fund for old outstanding checks. On November 1st of each year, NDSU submits the outstanding check funds with the required reports to the state abandoned property office. Separate unclaimed property reports are required for over $50, versus $50 and under.

   5.5 Per N.D.C.C. § 47-30.1-03, any intangible property (which includes, but is not limited to, moneys, checks and credit balances), that is unclaimed for more than three years becomes abandoned property and is then reported and handed over to the administrator of the state abandoned property office, who is then responsible for the safekeeping and final disposition of the abandoned property.

6. A $15 fee, or the account balance if it is under $15, will be imposed for accounts that are inactive for more than one year from the date of the last transaction.

7. Customers with checks returned for insufficient funds will have accounts frozen until payment is received.

8. Funds are non-transferable.

9. IMMEDIATELY report lost or stolen cards to the NDSU University Police (701-231-8998). Once the card has been reported lost, the cardholder is not responsible for any additional purchases. Per federal regulations, the cardholder is responsible for up to $50 if the lost or stolen card is reported within two business days. If the lost or stolen card is not reported within two business days, the cardholder can be liable up to $500 or the total account balance, whichever is lower.

Privacy Statement: Through the Family Educational Rights and Privacy Act, also known as FERPA or the Buckley Amendment, data collected on the use of University facilities and services by an individual cardholder will only be used for University purposes within FERPA guidelines. Information regarding a cardholder's account will not be provided to third parties unless required by applicable laws or within written permission of the cardholder.

HISTORY:

New	April 1998
Amended	May 2005
Amended	October 2007
Amended	March 25, 2011

Policy *707* Version *1 04/05/2016*

Policy Change Cover Sheet

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SECTION: 707 Access Control and Building Security

13. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
    - Is this a federal or state mandate? ☐ Yes X☐ No
    - Describe change: Updated 1.2 with revised name of Policy 703.

14. **This policy change was originated by (individual, office or committee/organization):**
    - Office/Department/Name and the date submitted NDSU Card Center/Wendy McCrory/04/05/2016
    - Email address of the person who should be contacted with revisions: wendy.mccrory@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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SECTION 707
ACCESS CONTROL AND BUILDING SECURITY

SOURCE: NDSU President

1. The Facilities Management Department is charged with the responsibility to coordinate access control and building security policies.

1.1 Each department/unit is responsible for ensuring that proper building security practices are maintained by each respective department. This includes, but is not limited to:

1.1.1 Ensuring appropriate use of access control to maintain a secured area;

1.1.2 Financial responsibility for re-keying or reissuing the ID card by the respective department in the case of lost, misplaced or stolen keys or ID Cards;

1.1.3 Return of key(s) and requesting removal of access of a department member or student who no longer needs access to an area.

1.2 Employees will be issued a card, at the expense of the respective department. (See Policy 703 - ~~Bison~~ NDSU Card Terms and Conditions, section A.10.)

2. Authorization for access is provided by using the Key Request form for keys or the Card Access Request form. Upon the receipt of an authorized request, the Facilities Management Department will prepare the key(s), or grant access.

2.1 Duplication of an ID card/key, is strictly forbidden and may result in personal financial responsibility and/or disciplinary action against the individual responsible for the duplication.

2.2 All keys issued through this authorization process are considered property of the University.

2.3 Immediately report lost, found or stolen ID cards to the University Police at 231-8998.

3. There shall be one key and access control official for each building designated by the department having the broadest responsibility in the building. The Facilities Management Department will maintain a current list of each building's key and access control official.

4. Effective building security is possible only through the cooperative efforts of University Police, Facilities Management and most importantly, the building occupants. The following rules apply:

    4.1 Keys and ID cards are not to be left unattended on desks, in door locks, or carried in such a manner as to be susceptible to loss or theft.

    4.2 When faculty, staff, or students leave a building after hours, the exterior door lock must be set to prevent unauthorized access. If the door does not close or lock properly, notify the University Police (231-8998) immediately.

    4.3 The University Police must be notified whenever a potential or actual security problem exists, i.e., unauthorized entry, theft of property, or loss of keys or ID cards.

5. Institutional Security System enhancements: An electronic network has been established to provide access control and monitor various activities on campus, involving access control devices, intrusion devices, and video cameras, where applicable. The access control devices are installed at select interior and exterior doors and spaces.

    5.1 Intrusion devices and video cameras monitor select spaces requiring a continuing level of security. The installation of the devices may be requested from Facilities Management via a work request.

    5.2 The requesting department will be responsible for the cost of the devices, installation, connectivity and system maintenance. Contact Facilities Management for a project cost estimate.

HISTORY:

New	July 1990
Amended	July 1993
Amended	July 1996
Amended	March 1998

Attachment 2

Amended June 2007

Policy Change Cover Sheet

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SECTION: Policy 802 State Supported Agreements

16. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
    - Is this a federal or state mandate? ☐ Yes X☐ No
    - Describe change: Policy was updated in 2009 and the request was made to have the title changed to "Federal Flow-Through Agreements". For some reason that change was never made, but in keeping with the current language and intent of this Policy, that title change needs to be made.
    -
17. **This policy change was originated by (individual, office or committee/organization):**
    - Research and Creative Activity/Sponsored Programs
    - Val.kettner@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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SECTION 802
FEDERAL FLOW-THROUGH AGREEMENTS

SOURCE: NDSU President

When a sponsored agreement is received from a non-federal entity, Sponsored Programs Administration will make a determination about the actual source of the funding provided by the entity. If the entity is using federal money to support the project, the University must account for the funds as if they were federal funds. Thus, the institution must adhere to all federal guidelines and restrictions of the federal agency supporting the project.

HISTORY:

New	July 1990
Amended	April 1992
Amended	August 2007
Amended	October 2009
Housekeeping	February 14, 2011

Policy Change Cover Sheet

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

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

SECTION: Policy 816 Rebudgeting on Sponsored Agreements

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

- Is this a federal or state mandate? ☐ Yes X☐ No
- Describe change: Numerous changes requested to update references to Grants Management System, to remove redundancies and to remove references that are procedures versus policies.
-

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

- Research and Creative Activity/Sponsored Programs and Finance & Administration/Grant & Contract Accounting
- Val.kettner@ndsu.edu and/or ann.young@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
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SECTION 816
REBUDGETING ON SPONSORED AGREEMENTS

SOURCE: NDSU President

1. The Grants Management System has the capability to check for available funds at four different levels of restriction. The base level of restriction is determined by the terms and conditions of the sponsoring agency.

   1.1 BUDGET LINE. Each expense processed is checked against the budget for that specific line item.

   1.2 BUDGET CATEGORY. Each expense processed is checked against the sum of budgets within a given category. The categories are

   1) Personnel,
   2) Operating,
   3) Equipment, and
   4) Deductions and Transfers (indirect cost).

   1.3 TOTAL DIRECT: Each expense processed is checked against the sum of all budgets, excluding indirect cost budget, within the project to determine if sufficient funds are available.

   1.4 BUDGET TOTAL. Each expense processed is checked against the sum of all budgets within the project to determine if sufficient funds are available.

2. If a department wishes to incur an expense under a different line item, or category if Budget Category, or incur expenses over the amount budgeted for a line or category if Budget Category, an email should be submitted to Grant and Contract Accounting explaining the circumstances requiring the rebudget. Grant & Contract Accounting will review the terms and conditions of the award for the sponsoring agencies requirements. If approval is required by the sponsoring agency, Grant and Contract Accounting will forward the request to Sponsored Programs Administration. Sponsored Programs Administration will request approval from the sponsor.

3. If a project becomes overspent, the department is liable for covering those overages through a local/non grant fund.

HISTORY:

New	July 1990
Amended	April 1992
Amended	May 1996
Amended	August 2007
Amended	November 2008

Policy 156 Version 1 April 4, 2016

Policy Change Cover Sheet

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SECTION: 156. EQUAL OPPORTUNITY GRIEVANCE PROCEDURES

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

- Is this a federal or state mandate? ☐ **Yes** (federal) ☐ No
- Describe change:

This policy has been updated to comply with Office of Civil Rights requirement on procedures for resolving complaints of discrimination in violation of NDSU's Equal Opportunity and Non-Discrimination Policy 100, including complaints of harassment or retaliation.

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

- Office of the Provost
- canan,bilen.green@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 156
DISCRIMINATION, HARASSMENT, AND RETALIATION COMPLAINT PROCEDURES

SOURCE: NDSU President

1. INTRODUCTION

1.1 North Dakota State University (NDSU) prohibits discrimination in its employment decisions and educational programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee per SBHE Section 603.2, status as a U.S. veteran, or participation in lawful activity off NDSU's premises during nonworking hours which is not in direct conflict with the essential business-related interests of NDSU. (See NDSU Section 100, Equal Opportunity and Non-Discrimination Policy).

1.2 NDSU is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of its university community. Specifically, NDSU is committed to taking action to:

1) Stop discrimination;
2) Remedy the effects of discrimination;
3) Prevent the recurrence of discrimination; and
4) Educate the university community about their rights and responsibilities regarding discrimination.

1.3 NDSU has committed itself to the establishment and adoption of procedures to resolve complaints of discrimination in violation of NDSU's Equal Opportunity and Non-Discrimination Policy, including complaints of harassment or retaliation. A central purpose of these complaint procedures is to provide a system at NDSU to conduct adequate, reliable, and impartial investigations of complaints of discrimination. NDSU's primary concern is to enact and implement complaint procedures that encourage reporting of discrimination and that ensure the rights of NDSU students, employees, and all other participants in its educational programs and activities are protected.

2. DEFINITIONS

2.1 **Discrimination** – Different or unequal treatment of an individual (or group), based on one or more of the protected classes of the individual (or group), except as where

permitted or required by law, that negatively affects their education, employment, or other participation in educational programs or activities.

2.1.1 Protected classes for purposes of these procedures are: age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee per SBHE Section 603.2, status as a U.S. veteran, or participation in lawful activity off NDSU's premises during nonworking hours which is not in direct conflict with the essential business-related interests of NDSU. (See NDSU Section 100, Equal Opportunity and Non-Discrimination Policy).

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

2.3 **Equity Director** – For purposes of these procedures, the Equity Director is NDSU's Vice Provost and Title IX/ADA Coordinator.

2.4 **Equity Office** – For purposes of these procedures, the Equity Office is NDSU's Office of the Vice Provost for Faculty and Equity.

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

3. FILING A DISCRIMINATION COMPLAINT

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

3.1.1 **How to file a discrimination complaint** - A discrimination complaint is initiated by completing a NDSU Discrimination/Harassment/Retaliation Complaint Form (Complaint Form) and filing it with the Equity Director. The Complaint Form is available online at https://www.ndsu.edu/forms/ or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Complaint Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equity Office. The Equity Office is available to assist with completing the Complaint Form as needed.

Anyone who would like to file a discrimination complaint against a student or student organization also has the option of filing the complaint with the Dean of Student Life, Memorial Union 250, NDSU Main Campus, 701-231-8240, janna.stoskopf@ndsu.edu. Discrimination complaints filed against a student or student organization will be resolved in coordination with the Dean of Student Life Office. If a discrimination complaint against a student or student organization will be resolved through formal resolution, a hearing, and any appeal, will be administered by the Dean of Student Life Office, in coordination with the Equity Office, under the procedures found in Rights and Responsibilities of Community: A Code of Student Conduct.

3.1.2 **Deadline for filing a discrimination complaint** - NDSU encourages those who believe they have been discriminated against to file a discrimination complaint as soon as possible. Unless the Equity Director agrees otherwise in writing, the Complaint Form must be submitted within 180 calendar days of the most recent incident of discrimination.

3.1.3 **Confidentiality cannot be guaranteed** - Depending on the nature of the discrimination complaint, NDSU will keep the complaint and its investigation confidential to the extent that it is possible. However, confidentiality cannot be guaranteed under these procedures as NDSU may have an obligation to take specific actions once aware of alleged discriminatory conduct.

3.1.4 **Confidential support resources** - If seeking a confidential resource, NDSU students may contact the NDSU Counseling Center at 212 Ceres Hall, NDSU Main Campus, 701-231-7671. The Faculty/Staff Assistance Program, as described in NDSU Section 134, is a confidential resource for NDSU employees.

3.1.5 **Anonymous reporting** - NDSU students, faculty, and staff may submit an anonymous form to report acts of bias, bigotry, or hate at NDSU.

NDSU may be limited in its ability to respond to a report if it is submitted anonymously. Additionally, in very limited circumstances, NDSU may need to take action to learn the identity of an individual who submitted an anonymous report. For more information, see ndsu.edu/biasreport/.

4. RETALIATION PROHIBITED

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

5. REMEDIAL MEASURES

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

6. PRELIMINARY EVALUATION OF DISCRIMINATION COMPLAINT

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

Unless there are extenuating circumstances, the preliminary evaluation will be completed within 3 business days of receipt of the discrimination complaint and

the decision will be provided in writing to the individual (or group) who filed the complaint. If the Equity Director requires further information from the individual (or group) who filed the discrimination complaint before making a decision, the decision will be made within 3 business days of receipt of the additional information requested. In the case of a dismissal, the Equity Director may provide information or guidance regarding other avenues for support or resolution of the complaint, if appropriate and available.

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

7. INFORMAL RESOLUTION

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

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

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

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

8. FORMAL RESOLUTION

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

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

(1) An interview with each of the parties;
(2) Interviews with witnesses identified by the Parties or determined otherwise; and
(3) A review of evidence provided by the Parties or collected otherwise.

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

8.3 **Investigator(s)** - A staff member(s) in the Equity Office may conduct the comprehensive investigation of the discrimination complaint or the Equity Director may delegate investigative duties to another properly trained investigator(s). Within 3 business days of notice of the identity of an investigator(s),

either party may provide the Equity Director with a written request asking that another investigator(s) be assigned if the party believes there is a conflict of interest with the investigator(s). Where appropriate, a new investigator(s) will be assigned and the Equity Director will provide the Parties with written notice of the newly assigned investigator(s).

8.4 **Responsibilities of the Parties** – Deadlines for completing actions under these procedures will be communicated in writing to the Parties, who must make every effort to comply with the deadlines communicated to them. Timeliness is particularly important under the formal resolution process as determinations may be made based on available information if a party fails to respond in a timely manner to action requested by an investigator(s). In extenuating circumstances, an extension to a deadline may be granted by the Equity Director and will be communicated in writing to the Parties.

8.5 **Standard of proof** – The applicable standard of proof under the formal resolution process is "preponderance of the evidence" – meaning, in order for an individual (or group) against whom a discrimination complaint was filed to be held responsible for discrimination, it must be determined that it is *more likely than not* that the individual (or group) violated NDSU's Equal Opportunity and Non-Discrimination Policy, which may include harassment or retaliation.

8.6 **Preliminary determination report** – After an investigator(s) has finished the comprehensive investigation of a discrimination complaint, the investigator(s) will draft a preliminary determination report that states whether the individual (or group) against whom the discrimination complaint was filed is responsible for discrimination, including harassment or retaliation, by a preponderance of the evidence. The report will also include, at a minimum, a summary of the relevant information gathered during interviews and otherwise that informed the preliminary determination. Unless there are extenuating circumstances, the report will be drafted within 30 calendar days of initiation of the comprehensive investigation. The report will be provided to the Parties and the review committee (see 8.7). The Parties will have 5 business days from receipt of the report to dispute the preliminary determination and/or any information found in the report in writing. As needed, the Equity Office is available to facilitate finding a resource to assist a party with putting its response in writing.

8.7 **Review committee** – Unless there are extenuating circumstances, a review committee will meet within 10 calendar days of issuance of the preliminary determination report in order to make a final determination on the report and to recommend disciplinary action, if any. The review committee will be comprised of no fewer than 3 properly trained NDSU faculty, staff members, and/or students that do not have a conflict of interest with the Parties. If a party believes there is a conflict of interest with a member(s) of the review committee, the party should follow the procedures and deadline established in 8.3 to dispute the member(s).

8.8 **Final determination** – Prior to meeting, review committee members will review the preliminary determination report and any written response to the report made by the Parties. The review committee may ask the investigator(s) who issued the preliminary determination report to be available during their meeting in order to answer questions related to the investigation and to provide access to documentation in the investigative file as needed. In limited circumstances, the review committee may request that the investigator(s) gather additional information if the committee decides it cannot make a determination without the additional information. In that case, each party will be provided with the additional information gathered and will have the opportunity to respond to it in writing. The final determination will include recommended disciplinary action, if any, in addition to a finding as to whether, by a preponderance of the evidence, discriminatory conduct, including harassment or retaliation, occurred. The final determination, as well as notice of the right to appeal as afforded in 8.12, will be provided in writing to the Parties.

8.9 **Disciplinary action for discriminatory conduct** – NDSU does not tolerate discrimination, including harassment or retaliation, and will take appropriate disciplinary action against anyone found responsible for discrimination. Students found responsible for discrimination under the procedures in Rights and Responsibilities of Community: A Code of Student Conduct will be subject to disciplinary action, up to and including expulsion. Employees found responsible for discrimination under these procedures will be subject to disciplinary action, up to and including termination. The disciplinary action recommended by the review committee will depend on the severity of the discriminatory conduct and whether the individual (or group) was previously found responsible for discrimination.

8.10 **Imposition of disciplinary action** – Disciplinary action will be imposed by the appropriate administrator or supervisor on behalf of NDSU. If neither party exercises the right to appeal as afforded in 8.12, the Equity Director will either: (1) notify any administrator or supervisor provided with a modified notice of action as described in 6.2 that the matter has been resolved without recommended disciplinary action; or (2) provide the final determination to the appropriate administrator or supervisor, whether previously provided a modified notice of action as described in 6.2 or otherwise, and consult with the administrator or supervisor regarding imposition of the recommended disciplinary action. If the administrator or supervisor disagrees with the recommended disciplinary action, the administrator or supervisor must provide its basis for disagreement in writing to the Equity Director within 3 business days of receipt of the final determination. If either party exercises the right to appeal, (1) or (2) will be conducted by the Equity Director once the appeal process has concluded.

8.11 **Conclusion of formal resolution** – Excluding any appeal, the formal resolution process will be completed within 60 calendar days of the date the discrimination complaint was filed unless there are extenuating circumstances. Any reason for an

extension to the 60 calendar day deadline will be communicated in writing to the Parties.

8.12 **Appeal of final determination** – Within 5 business days of receipt of the final determination, either party may appeal the determination by completing a NDSU Discrimination Appeal Form (Appeal Form) and filing it with the Equity Director. The Appeal Form is available online at https://www.ndsu.edu/forms/ or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Appeal Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equity Office. As needed, the Equity Office is available to facilitate finding a resource to assist a party with completing the Appeal Form.

The grounds upon which a party can request an appeal are: (1) the recommended disciplinary action is substantially disproportionate to the findings; (2) procedural error led to an improper final determination; and/or (3) new evidence that was previously unavailable should be considered as it could have had a significant impact on the final determination. If an appeal is granted under (3), the Equity Director will require that the review committee meet again to determine if the final determination should be altered in light of the new evidence. The party who did not provide the new evidence will have the opportunity to respond to the evidence in writing. If the final determination is altered under (3), the Parties will be afforded the opportunity to appeal again under (1) and/or (2) within 5 business days of receipt of the altered final determination. If an appeal is granted under (1) or (2), the Equity Director will evaluate the final determination in an impartial manner in light of the information found in the Appeal Form and will alter or reaffirm the final determination accordingly. Unless there are extenuating circumstances, the appeal process will be completed within 10 business days of submission of the Appeal Form and the results will be provided in writing to the Parties. In cases in which there is a conflict of interest, such as when the grounds for appeal involve action taken by the Equity Director, the Provost will conduct the appeal process.

9. INTERSECTION WITH OTHER RELEVANT NDSU POLICIES

9.1 The procedures described above do not eliminate the rights of a party to subsequently participate in pre-disciplinary action review and/or an appeal as afforded elsewhere under NDSU policy. Furthermore, for purposes of these procedures, an appeal process available to the individual (or group) against whom a discrimination complaint was filed must be available to the individual (or group) who filed the discrimination complaint.

9.2 **Nonbanded, nonacademic staff** – The applicable policy for nonbanded, nonacademic staff regarding subsequent pre-disciplinary action review and/or an appeal is NDSU Section 183, Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff.

9.3 **Regular staff employees** – The applicable policies for regular staff employees regarding subsequent pre-disciplinary action review and/or an appeal are NDSU Section 220, Staff Job Discipline/Dismissal and NDSU Section 231, Appeal Procedure for Disciplinary and Reduction in Force Actions.

9.4 **Faculty** – The applicable policies for faculty regarding subsequent pre-disciplinary action review and/or an appeal are NDSU Section 350.3, Board Regulations on Nonrenewal, Termination or Dismissal of Faculty and NDSU Section 350.4, Board Regulations on Hearings and Appeals.

10. NOTICE OF MANDATORY REPORTING RESPONSIBILITIES AND TRAINING

10.1 It is the responsibility of the entire university community to foster a safe and non-discriminatory learning, living, and working environment. NDSU employees have specific responsibilities when they observe discrimination or receive a report of discrimination. NDSU employees must not dissuade an individual (or group) from providing them with a report of discrimination but should inform the individual (or group) of their mandatory reporting responsibilities as described below.

10.1.1 **Observance of discrimination** – All NDSU employees who observe discrimination, including harassment or retaliation, must document the discrimination and contact the Equity Office in accordance with 10.2.

10.1.2 **Report of discrimination** – All NDSU employees who receive a report of discrimination *involving a student*, including harassment or retaliation, must document the report and contact the Equity Office in accordance with 10.2. NDSU supervisors, managers, department heads, deans, directors, or administrators who receive a report of discrimination *involving employees*, including harassment or retaliation, must document the report and contact the Equity Office in accordance with 10.2. The provisions of 10.1.2 do not apply to confidential support resources providing services as described in 3.1.4.

10.2 To comply with 10.1.1 or 10.1.2, NDSU employees must promptly complete and submit an NDSU Discrimination Report Form (Report Form) to the Equity Director. The Report Form is available online at https://www.ndsu.edu/forms/ or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Report Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equity Office. The Equity Office can assist with completing the Report Form as needed. The Equity Office is the official university record holder for documentation under these procedures.

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

10.4 **Mandatory training** - All NDSU employees must complete equal opportunity and non-discrimination training on an annual basis. In addition to mandatory training, employees are encouraged to contact the Equity Office with any questions they may have related to equal opportunity and non-discrimination at NDSU, including inquiries regarding their responsibilities as mandatory reporters.

11. DISCRETIONARY INVESTIGATION

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

12. FILING WITH AN EXTERNAL AGENCY

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

North Dakota Department of Labor and Human Rights
Phone: 1-800-582-8032
TTY: 1-800-366-6888
humanrights@nd.gov
www.nd.gov/labor

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

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

~~SECTION 156~~

~~EQUAL OPPORTUNITY GRIEVANCE PROCEDURES~~

~~*SOURCE: NDSU President*~~

~~a. INTRODUCTION~~

~~1.1 The purpose of these grievance procedures is to provide a fair and orderly system for review at North Dakota State University of alleged~~

~~violations, of equal opportunity laws, regulations, and policies that prohibit discrimination against all protected classes as defined in NDSU Policy 100.~~

~~1.2 Any individual or group filing a grievance under this procedure is entitled to protection from harassment, reprisals or retaliation as a result of having filed the grievance. Retaliation may, in itself, constitute grounds for a grievance.~~

~~1.3 Parties (the grievant and party whose action is the subject of the grievance) to a grievance filed under this procedure will make every effort to comply with the established timelines for giving notices and completing actions related to the grievance. In extenuating circumstances, these timelines may be extended by the NDSU Vice President for Equity, Diversity and Global Outreach ("Diversity Officer") in consultation with the parties.~~

~~b. ADMINISTRATIVE REVIEW OF GRIEVANCE~~

~~2.1 Any student, employee of the University, or any group of such persons who is affected by an apparent violation of equal opportunity laws, regulations, or policies shall be entitled to an administrative review of the grievance.~~

~~2.1.1 The review is initiated by completing the NDSU Formal Equal Opportunity Grievance Form (available from the NDSU Office for the Vice President for Equity, Diversity and Global Outreach) and filing it with the Diversity Officer. Unless the Diversity Officer stipulates otherwise, the grievance form must be submitted within six months of the alleged violation.~~

~~2.1.2 This review shall include: (1) an administrative inquiry into the facts of the case; (2) a discussion of the case by the Diversity Officer with the grievant and, the party whose action is the subject of grievance; (3) a conclusion by the Diversity Officer regarding whether or not the case involves a violation of equal opportunity rights; (4) an attempt to achieve a mutually acceptable resolution of the grievance; and (5) a written communication of that conclusion to the grievant and the party whose action is the subject of the grievance. Unless there are extenuating circumstances, the administrative review will be completed within 30 calendar days after the date of the filing.~~

~~2.1.3 As an alternative to this review, a grievant may pursue any channel of review applicable under another University policy (such as the Grade Appeals Board policy for students [Section 337], the~~

~~Grievance Procedure for Conditions of Employment or Appeal Procedure for Disciplinary and Reduction In Force Actions [Sections 230 and 231, respectively], or the Board Regulations on Nonrenewal, Termination or Dismissal of Academic Staff, the Board Regulations on Hearings and Appeals, or Grievances - Faculty [Sections 350.3, 350.4 and 353 respectively]).~~

~~c. VOLUNTARY MEDIATION~~

~~3.1 If the grievant and party whose action is subject of the grievance both agree to mediate, the provisions of Policy 350.5 Mediation shall apply for all employees.~~

~~3.2 If voluntary mediation is unsuccessful, the grievant may request a hearing of the grievance pursuant to section 4.1.~~

~~d. GRIEVANCE HEARING~~

~~4.1 Either party of the grievance will have **ten (10) working days to appeal the written conclusion in section 2.1.2 or from the termination of an unsuccessful mediation under section 3**. A grievance shall be heard by a five member Equal Opportunity Hearing Committee. The Student Body President, Faculty Senate President and the Staff Senate President shall designate the chair and other members for this committee from among the University Equal Opportunity Hearing Panel, which shall consist of the following 18 members:~~

- ~~6 NDSU students appointed by the Student Body President,~~
- ~~6 NDSU faculty members appointed by the President of the Faculty Senate, and~~
- ~~6 NDSU broadbanded employees appointed by the Staff Senate President.~~

~~4.1.1 For each group of panel appointees, those responsible for designating the panel shall strive to have a diverse panel. Part time students and regular employees are eligible for appointment.~~

~~4.1.2 Committee members shall disclose any conflict of interest they may have to the committee. The parties can also challenge a committee member for a conflict of interest. The Student Body President, President of Faculty Senate, and the Staff Senate President shall decide, by majority vote, whether challenges have merit. Replacements shall be appointed in the same manner as original appointments.~~

~~4.2 An Equal Opportunity hearing committee shall conduct its hearing in accordance with the following requirements: The committee may appoint a hearing officer with authority to conduct pre-hearing meetings, supervise discovery, advise the committee or preside over the hearing. The~~

~~responsibilities for conducting the hearing are then assumed by the hearing officer, subject to decisions by the committee.~~

~~4.2.1 Any grievant requesting a hearing must file a written statement with the hearing committee indicating the grounds upon which a violation of equal opportunity is alleged to exist. Upon receipt of this statement, the committee chairperson shall schedule a date for an initial hearing.~~

~~4.2.2 The committee shall attempt to schedule hearing sessions only when all of its members are able to be present. If the committee decides, however, that the parties interests are best served by scheduling a session even when one or more of the committee members are not able to be present, then the absent members shall be responsible for reviewing the tape recordings of that session to familiarize themselves with the evidence presented at that time.~~

~~4.2.3 Attendance at any hearing shall be limited to the committee members, the parties, and their attorneys or other representatives and witnesses, unless both the parties shall agree to offer an express invitation for a particular hearing or session to the public or representatives of the press. Witness may be sequestered whether the hearing is open or closed.~~

~~4.2.4 The committee chairperson shall preside at all sessions. Any party or representative wishing to present evidence, examine witnesses, summarize evidence, or present arguments shall do so only with the consent of the chairperson. The committee shall tape record sessions (and /or hire a court reported) at which testimony is heard and shall allow controlled access to the tape for review or transcription by any party as defined in subsection 1.3 directly involved in the proceedings. The committee shall also keep summary minutes of its proceedings.~~

~~4.2.5 At the beginning of a hearing, the committee shall provide an opportunity for opening statements to be made, first by the grievant, then by the party defending whose action is subject of the grievance. The committee shall then rely upon the opposing parties to call the necessary witnesses and present relevant evidence. The committee shall reserve the right, however, to call its own witnesses and to act in an investigative capacity itself, should the need arise.~~

~~4.2.6 The committee shall consider both oral testimony and written evidence. Upon receipt of any written statement or evidence provided by any party to the committee, the committee shall promptly provide the other party with a copy of such material. The committee can set its own rules for notice deadlines for disclosure of exhibits and witnesses. Any person offering testimony before the committee shall be subject to questioning by the committee members or either party with specific consent of the committee chairperson. The committee shall reserve the right to exclude redundant evidence as determined by a majority committee vote. The committee has authority to secure the testimony of essential witnesses or other relevant evidence. At the conclusion of a hearing, the committee shall provide an opportunity for either party to submit a written summary of its position.~~

~~4.2.7 The committee shall vote by secret ballot, and the committee chairperson shall vote on all questions. In order for the committee to find a violation of equal opportunity, the grievant must show by the greater weight of the evidence that such a violation did, in fact, occur. If an alleged harasser in a sexual harassment case claims consent as a defense and the person was in a position of power or control over the grievant, the burden of proof on the issue of consent is on the alleged harasser. The vote required for committee action will be a simple majority of total number of votes eligible to be cast. All voting results and any recommendations of the committee shall be promptly made available in writing to all of the parties involved in the case and the University President. **The President shall be responsible for determining an appropriate administrative response to the findings, conclusions and recommendations. The decision of the President is final.**~~

HISTORY:

New	December 20, 1977
Amended	September 1993
Amended	January 1996
Amended	June 2000
Amended	October 2007
Housekeeping	September 2009
Amended	March 16, 2010
Housekeeping	February 14, 2011
Housekeeping	April 4, 2016

Policy *183* Version 1 *03/28/16*

Policy Change Cover Sheet

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

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

SECTION: 183 NONRENEWL AND DISMISSAL OF NONBANDED, NONACADEMIC STAFF

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

- Is this a federal or state mandate? ☐ Yes x☐ No
- Describe change: NDUS Board Policy change effective February, 2016.

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

- Office/Department/Name and the date submitted Human Resources and Payroll/Colette Erickson/March 29, 2016
- Email address of the person who should be contacted with revisions: Colette.erickson@ndsu.edu
-

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 183
NONRENEWAL AND DISMISSAL OF NONBANDED, NONACADEMIC STAFF

SOURCE: SBHE Policy Manual, Section 608.2

1. Employees excluded from the broadbanding system who are not members of the academic staff at an institution may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:

   a) At least three months, if written notice is given during the first year of service;
   b) At least six months, if written notice is given during the second year of service or thereafter.

~~a.~~ As used in this section 1, "service" means employment at the same institution or agency.

2. An employee may be dismissed for just cause. Employees excluded from the broadbanding system who are not members of the academic staff at an institution may be dismissed ~~for just cause or~~ based upon financial exigency as determined by the Board, loss of appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses, in which cases the notice requirements of the preceding section shall not apply. If a dismissal ~~other than for just cause~~ is implemented pursuant to this subsection, no less than 90 days notice shall be given the employee.

3. Just cause means just cause for dismissal of staff employees as defined in the North Dakota University System Human Resource Policy Manual. (See NDSU 220.2) Notice of intent to dismiss for cause, stating the reasons for the proposed action, shall be given by a department head or other designated official unless the employee is a vice president or other officer who reports directly to the institution's chief executive, in which case notice shall be given by the chief executive. The notice shall be given at least five calendar days prior to the date of dismissal and the employee has the right, within that time, to respond in writing and request a pre-termination review. Following notice of intent to dismiss and, if requested by the employee, the pre-termination review, the department head or other designated individual, if the notice of intent to dismiss was not given by the chief executive, shall forward a recommendation to the institution's chief executive. The chief executive shall make a final decision and give written notice of that decision.

4. An employee who is dismissed for just cause pursuant to this policy may, within 20 days of dismissal, appeal the decision by filing a notice of appeal, accompanied by a specification of the reasons or grounds upon which the appeal is based, with the institution's chief executive. The chief executive shall appoint a hearing officer to conduct an evidentiary hearing and submit recommended findings, conclusions and a recommended decision ~~order to the chief executive~~. The hearing officer shall conduct the hearing according to appeal procedures governing hearings conducted by a staff personnel board that are set forth in Section 27 of the North Dakota University System Human Resource Policy Manual *(Policy 231 of the NDSU Policy Manual).* The chief executive shall make a final decision and provide written notice of that decision to the hearing officer and the employee within 20 calendar days of receiving the hearing officer's recommendation.

5. Except for positions explicitly exempt as stated in this section 5 or 6, this policy applies to all employees excluded from the broadbanding system who are not members of the academic staff and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff. This policy applies to coaches unless the employing institution has adopted a different policy governing coaches and that policy is stated or adopted by reference in a coach's employment contract, in which case the institution's policy applies. This policy does not apply to faculty; employees with academic appointments are governed by SBHE Policy Sections 605.1, 605.2, 605.3 and 605.4. Staff employees at the institutions are governed by the North Dakota University System Human Resource Policy Manual.

6. *Dismissal actions of* ***regular staff employees*** *are governed by the NDSU Policies 220 and 223.*

7. *Dismissal actions of* ***temporary staff employees*** *may occur at any time with or without cause (NDUS Human Resource Policy Manual, Section 2).*

8. *Dismissal or non-renewal actions for* ***faculty*** *are governed by NDSU Policy 350.1-350.4 and 352.*

9. This policy does not apply to the Chancellor and institution presidents. Subsections 1 and 2 do not apply to student residence hall assistants, work-study students and other students employed on a part-time basis for a limited term. The terms and conditions of employment for student residence hall assistants shall be stated in a written contract.

~~10. Notwithstanding section 1, employees excluded from the broadbanding system who are not members of the academic staff at an institution and whose first day of service preceded September 26, 2012, may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:~~

   ~~a. At least three months, if written notice is given during the first year of service;~~

~~b. At least six months, if written notice is given during the second year of service;~~

~~c. At least twelve months, if written notice is given thereafter.~~

HISTORY:

New	June 1994
Amended	May 1996
Amended	February 1998
Amended	July 1999
Amended	December 1999
Amended	January 2000
Amended	January 3, 2013
Housekeeping	August 26, 2013
Amended	September 18, 2013
Amended	December 4, 2015

Current Bylaws

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a representative of the Dean of Graduate and Interdisciplinary Studies, and two students.

2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.

3. Committee responsibilities include:
    1. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
    2. Recommending policies for the evaluation of transfer credit
    3. Recommending policies for graduation
    4. Recommending candidates for graduation
    5. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 10. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.

2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, the professional advisers (at least 50% of load is advising), and the Provost (or designee). There is no term limit for non-voting members.

3. Committee responsibilities include:
    1. Ensuring that existing courses and experiences meet general education requirements.
    2. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.
    3. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.
    4. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.
    5. Providing periodic assessment of students' attainment of intended student outcomes in general education.
    6. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.
    7. Selecting two representatives and one alternate for the North Dakota General Education Council.

University Curriculum Committee (UCC)

1. Voting members shall consist of one tenured faculty member from each of the representation units, a tenured faculty representative appointed by the Dean of the College of Graduate and Interdisciplinary Studies, and two students – one graduate and one undergraduate - appointed by the Student Government.

   The Provost, Registrar, and Dean of Libraries shall each appoint one non-voting representative.

   a. Terms shall be four years. Voting members shall not serve consecutive terms. Terms shall be staggered so that no more than one-third of the members are new.
   b. One faculty member will be elected as chair. Neither the Provost's, Registrar's, nor Dean of Libraries' representative shall serve as chair.
   c. The chair shall have served at least one year on the committee.
   d. Each representation unit shall also select an alternate faculty member to serve in case of recusal or absence.

2. Committee responsibilities are:

   a. Developing criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.[1]
   b. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges.
   c. Overseeing the general education program, including:
      a. Validating/revalidating courses and experiences to ensure that general education outcomes are met.
      b. Coordinating periodic assessment of students' attainment of intended student outcomes in general education.
   d. Requesting the formation of ad hoc Faculty Senate committees to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed[2]*, and*
   e. Performing other appropriate duties as assigned by the Faculty Senate.

[1] Designates an overlapping function.

[2] Designates a new authority.

Purpose of change

1. To create a committee that focuses on NDSU's curriculum as a whole.
    A. Enables the committee to have a more comprehensive understanding of the curriculum to create a consistent, coherent, practical curriculum for students, faculty, and staff.
2. To redirect the focus to the committee's Faculty's expertise rather than doing administrative work. They would become an executive committee.
3. Create a more efficient workflow.

<u>Phases</u>

Phase 1: August-September 2016 - Colleges elect their representatives to the UCC, the other members are appointed.

Phase 2: Fall 2016 - UCC members attend AA and GE meetings to orient themselves to the relevant work. During this time, they should be thinking about what portions of the work can be:

A. Administrative work not performed by faculty members – The Provost's office is providing a great deal of administrative support through Vice Provost for Academic Affairs, her administrative assistant, and other ex-officios.
    1. Before the committee sees a petition or application, the ex-officios can determine if the documents are adequately prepared. If not, they can be returned to the originator.
    2. Courseleaf or Sharepoint to make workflow for efficient and transparent,

    OR

B. Reduced through process change –
    1. Petitions take up an enormous amount of GE's time. RaNelle Ingalls has stated that petitions out of UNIV 189 are often unnecessary. They could be eliminated by either educating advisors that a student with 24 hours credits coming into NDSU does not need UNIV 189 to graduate, or a note could be put on the petition form page stating that fact so that students do not submit the form in the first place.
        1. Based on existing course evaluations we do for transfer credits from other universities, other petitions could be sent to the relevant programs for them to evaluate. Since those programs are experts in their own area, then they can do this most efficiently.
        2. The recommendation would be returned to UCC for their executive decision to accept or decline.

3. A timely deadline for a departmental or other decision should be included with the request to evaluate the petition.

2. Creating or updating templates for fill in blanks course proposals.
    1. Templates for undergraduate only, graduate only, and undergraduate/graduate classes exist. Those areas, such as instructor, office number and hours, academic honesty, accommodation, etc. will already be filled out. (https://www.ndsu.edu/facultysenate/acadaffairs/syllabi/, and has been available for many years)
    2. Only the areas relevant for evaluation of the proposal shall be live for the proposer to fill in.
    3. This work is already partially completed?
3. Training for the colleges' curriculum committees
    1. If the curriculum committees know what UCC wants, then it is easier to do that.
4. Moving evaluations or work to the areas best able to process it.
    1. A poorly filled out proposal should be returned to the originator with instructions how to change it.
5. Using Courseleaf or Sharepoint to monitor workflow and move materials directly to where they need to go.

Identify and use objective measures to evaluate work load and other information the Faculty Senate will use in Phase 3.

Phase 3: Report to Faculty Senate about changes to focus of the committee, processes, and all other relevant information the Faculty Senate will use in making a determination to proceed or "roll back" the committee.

Phase 4: Spring 2017 – UCC goes online

A. The Vice Provost for Academic Affairs will provide continuity and direction for the committee.
B. UCC will request an ad hoc General Education Recertification Committee or devise another efficient process to focus on recertifying all General Education courses to the New Model's outcomes. This process shall be considered by the Faculty Senate
    a. Consider requiring that all faculty members teaching general education courses explain in their course what general education is, why it is required of students, why the particular course is a component of general education, and what outcome it fulfills and how. Periodically during the semester, each general education instructor should tie in what she or he is doing to the what, why, why, what above.
    b. Probably good enough to send an email note out to general education instructors reminding them to do this? No need for additional monitoring? How would this be done?
    c. Use statistical sampling to evaluate proposals-revisions to alleviate workload, unless there is a system with far better outcomes to use. (Find out how businesses do this to review their projects.)

C. Evaluate UCC's process. If changes can be made to fulfill the reduced duties more efficiently without sacrificing quality, and the committee can do it for itself, then it would make these changes.
D. AA and GE representatives act as consultants to UCC.

Phase 5: May 2017 – Report to Faculty Senate

A. If there are issues the Faculty Senate needs to address, such as adding additional members to the committee, then that shall be brought to the Faculty Senate for discussion.
B. Only objective measures will be considered in the evaluation process.
C. Faculty Senate would take whatever action it deems appropriate.

Phase 5: May 2018 – Report to Faculty Senate

A. If there are issues the Faculty Senate needs to address, such as adding additional members to the committee, then that shall be brought to the Faculty Senate for discussion.
B. Only objective measures will be considered in the evaluation process.
C. Faculty Senate would take whatever action it deems appropriate.

Responses to concerns raised

- Both GE and AA have significant workloads, both committees meeting more than once per month presently and moving business along at a relatively quick pace. To merge them may overburden the members of the super committee.
    - **Response**: The committee workload is being reduced, as can be seen by the reduced duties in the Bylaws, as well as the process changes, etc.
    - **Response**: Instead of overloading faculty with administrative work, they will be able to more freely use their expertise in their executive roles.
    - **Response**: Use statistical sampling instead of examining each case, if that proves a far more efficient system with adequate outcomes. The idea is to retain processes that cannot be changed, but to change processes that are not resulting in sufficient efficiency to achieve desirable outcomes of freeing committee members to focus on the vision of a unified curriculum for the university.

- Reading documents for Academic Affairs issues and GE issues requires considering different criteria. Therefore, we think either the review will not be effective in some area, or the time for reading will increase for those individuals having to develop expertise in both areas.
    - **Response**: It is better for the university to have an overall curriculum that is coherent, cohesive, and practical through one committee having one vision.
    - **Response**: The committee researched this issue in great depth. It found that our peer institutions do not separate these two functions into different committees, with the exception of one university. So the standard is a UCC rather than separate AA and GE committees. (One committee member raised concerns about the strength of this conclusion based on is records of the committee's research.)

- The GE committee has, in the last year or two, worked to really streamline some processes so that it can take more of a leadership role regarding general education on campus and can do some things that they have not been able to get to in the past, such as revamping the GE web presence

and having some oversight over assessment of GE (even if that assessment still happens in the colleges and departments, having some campus wide coordination will be important).

- **Response**: This activity can be facilitated far more with a reduction in administrative workload and refocus on faculty expertise.

- Without either a GE committee or a GE Director, and with the intense workload represented by the merger of the committees, we fear GE will suffer from inattention.
    - **Response**: General Education will be better integrated into a student's overall curriculum with one group focusing on the issue. The idea would be to increase the effectiveness and values of both major(s), minor(s), and general education.

- The merger may be trying to solve problems that are no longer. AA has made its systems for syllabus review better; GE has created some policies and guidelines to make its processes more efficient. Nonetheless, there is still plenty of work for both committees, and the idea that the two committees are primarily redundant seems flawed.
    - **Response**: There are still significant problems with the processes that cause frustrations for both committee members and those faculty working with them. The length of time it takes to get a course approved for AA has been greatly reduced by Courseleaf. If a General Education step is added, then one set of faculty members can evaluate both AA and GE concerns simultaneously to determine if the course coherently, cohesively, and practically fits NDSU' curriculum.

Activities of the NDSU Faculty Senate Academic Affairs and General Education Committees for Academic Years 14/15 and 15/16 as of 3-7-16

The information summarized below is based on Faculty Senate and committee meeting minutes.

Academic Affairs Committee

Action	**Academic Year 14/15**	**Academic Year 14/15**
Policy Discussions	Sep – IQAOC questions; R&R query to check contact hours vs credits Oct – course approvals obtained one semester ahead of schedule?; academic freedom statement; guidelines for courses descriptions for smoother transfer evaluation Nov – AP cr Dec – CourseLeaf Mar – cr matrix and HLC compliance guidelines; course description for individual study Apr – CIM software demo; input on CIM fields May – Project lead the way	Aug – CIM update; colleges asked to discuss major clusters for advisement; PERC Sep – CIM update Oct – keep 400/600 together for review even though CIM lists separately; attendance policy 333 discussion re health center new policy Dec – uniform course number for undergrad teaching; pol 333 Jan - uniform course number for undergrad teaching Feb – final exam scheduling; IQAOC update and feedback
New Courses	Oct – 7 Nov – 8 Dec – 23 Jan – 2 Mar – 10 Apr – 26 May – 27 TOTAL = 103	Oct – 4 Nov – 13 Dec – 7 Jan – 1 Feb – 6 TOTAL = 31
Course Deletion	May - 3	
Course Inactivation's	Oct- 8 Nov – 9	Oct – 17 Nov -27

	Dec – 2 Mar – 4 Apr – 9 May 15 TOTAL = 47	Dec – 6 Jan – 2 TOTAL = 52
Course Reactivation	Jan – 1 Apr – 1 May – 1 TOTAL = 3	
Course Changes	Oct – 26 Nov – 9 Dec – 13 Mar – 10 Apr – 20 May – 10 TOTAL = 88	Oct – 11 Nov – 8 Dec – 8 Jan – 1 Feb – 3 TOTAL = 31
Change in pre/co/req/descrp	Oct – 2 Nov- 4 Dec – 4 Jan – 2 Mar – 27 Apr 14 TOTAL = 56 May - 3	Oct – 13 Nov – 8 Dec – 18 Jan – 10 Feb – 10 TOTAL = 59
New special topics	Oct – 1 Nov – 2 Dec – 4 Apr – 2 May – 2 TOTAL = 11	Oct – 1 Nov – 3 Dec – 3 TOTAL = 7
New prefix	May - 2	

New Program/option	Oct – 1 Dec – 2 Apr – 2 May – 4 TOTAL = 9	
Accelerated/combined degree	Mar - 1	
Program changes	Mar - 1	Feb - 6
Program Inactivation	Dec – 1 Mar – 2 TOTAL = 3	
Program Termination	Mar - 2	

General Education Committee

Action	**Academic Year 14/15**	**Academic Year 14/15**
Priorities for Fall	• continued petitions review • pilot assessment • alignment with CULE work	
Priorities for Spring	• continued petitions review • streamlining policy and process to make room for leadership work • pilot assessment/assessment planning • alignment with CULE work	
Petitions	Sep – 12 Oct – 7 Nov – 5 Dec – 4 Jan - 4 Feb – 3 Mar – 1 Apr – 7 TOTAL = 43	Sep – 9 Oct – 4 Nov – 1 Dec – 3 Jan – 2 Feb – 6 TOTAL = 25

Request to waive	one	
New courses	1 considered – PHRM 101	ENGL 226, RELS History of religion courses
Bylaws Change	1 - changes to membership	
Establishing blanket exception for study abroad	Approved	
Upper division substitution request	1 for computer engineering	1 in fall for BIOL course
Military basic training waiver for wellness	Approved, but with no course credit	
Upper division languages	Approved to meet Humanities/Fine Arts cr	
Course equivalency discussions	One in spring	
Provided information to the IQOAC	Addressed questions and decide to meet more frequently; i.e. 2 times/mo vs 1 time/mo	Updated and raised concerns
Number of courses removed from Gen Ed	1 – HDFS 468	
ENGR 291 for 189	approved	
Handbook revision discussions	several	
Discussion of QUEST, how to approve new courses, make exceptions, review existing course, and how to analyze transfer cr	All spring	All fall
Senate charge of Crosswalk		All spring so far
Capstone assessment discussion		Discussion late fall through early spring
Remaining potential agenda items		• Discussion regarding mapping new outcomes onto the SERU • Course re-evaluation cycle: timing? Documents needed? • Build faculty learning communities (FLCs) around the outcomes,

		communicate with the FLCs re the outcomes and teaching for them • Program review overall (with external evaluators, as UND has done?) • Changing the language from GE to something more like core or essential or foundations, to overcome the "general" bias • How do we: 1- think of GE as a program or connected curriculum 2- communicate more regularly with faculty about GE, not just to the Senate • Over the long run, develop some regular cycle of program assessment (direct + indirect assessment), including the question of whether we should build some requirements for Capstones that might be considered at Senate

Proposed change to Faculty Senate Budget Committee

Whilst gathering information about the committees, I realized that every member of the Faculty Senate Budget Committee's term will end in May 2017. Hence, there will be no continuity at all, which is a disaster for a committee that is integral to the FS and faculty governance.

My proposal is to change the bylaws for the committee to introduce staggered terms:

Budget

1. Voting members shall consist of one faculty from each representation unit, and a representative of the Dean of Graduate and Interdisciplinary Studies.
    1. *Each term is three years, and a member may serve no more than two consecutive terms.*
    2. *Terms shall be staggered so that new members have at least one year to become familiar with the committee and its work. Unless by necessity, no more than one third of the committee may be in their first year of service to the committee.*
    3. 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. If the outgoing Chair is no longer the representative of an academic unit, they will serve in a non-voting, advisory capacity. If the outgoing chair is reappointed/re-elected to represent their academic unit, then they will return to normal Committee membership.

2. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance (or designee).

Table mapping NDSU's Existing GE Categories to the New Undergraduate Learning Outcomes (created by the GE Committee in response to the December 14, 2015 charge from the Faculty Senate)

Existing NDSU Categories	Core New Undergraduate Learning Outcome for Each Category	Possible Secondary New Undergraduate Learning Outcomes for Each Category
First Year Experience (F)	Personal & Social Responsibility	
Communication (C)	Communication	Critical Thinking, Diversity and Global Perspectives, Technology, Personal & Social Responsibility
Quantitative Reasoning (R)	Critical Thinking, Creative Thinking, and Problem Solving	Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Science & Technology (S)	Natural and Physical Sciences or Technology	Critical Thinking, Diversity and Global Perspectives, Communication, Personal & Social Responsibility
Humanities & Fine Arts (A)	Human Societies	Critical Thinking, Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Social & Behavioral Sciences (B)	Human Societies	Critical Thinking, Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Social & Behavioral Sciences – Wellness (W)	Personal and Social Responsibility	Critical Thinking, Diversity and Global Perspectives, Technology, Communication, Personal & Social Responsibility
Cultural Diversity (D) (embedded in other category)	Human Societies	Diversity and Global Perspectives
Global Perspectives (G) (embedded in other category)		
General Education Categories that do not follow standard review procedures		
Upper Division Writing (approved by the GE Committee after review from the English Department Writing in the Disciplines Committee)	Communication	Critical Thinking, Diversity and Global Perspectives, Technology, Personal & Social Responsibility
Capstone in major (not presently reviewed by the GE Committee)	Critical Thinking, Creative Thinking, and Problem Solving	Communication, Diversity and Global Perspectives, Technology, Personal & Social Responsibility

Revised 03.24.2016

For Faculty Senate:

Approved General Education Recommendations

For Faculty Senate Meeting on (month/year): April 18

Outcomes Key:

1. Communicate effectively in a variety of contexts and formats.
2. Locate and use information for making appropriate personal and professional decisions.
3. Comprehend the concepts and perspectives needed to function in national and international societies.
4. Comprehend intrapersonal and interpersonal dynamics.
5. Comprehend concepts and methods of inquiry in science and technology, and their applications for society.
6. Integrate knowledge and ideas in a coherent and meaningful manner.
7. Comprehend the need for lifelong learning.

Courses Approved for General Education (New)

Course No.	Course Title	Recommended Categories	Recommended Outcomes
ENGL 229	Introduction to Creative Writing	Humanities and Fine Arts	Primary - Human Societies, Secondary - Communication

Courses Withdrawn from General Education List of Approved Courses

Course No.	Course Title	Categories	Dept or GE Request

Continued Approval (5-Year Renewal) for General Education with No Changes in Outcomes

Course No.	Course Title	Categories	Outcomes

Continued Approval (5-Year Renewal) for General Education with Changes in Outcomes

Course No.	Course Title	Categories	Previous Outcomes	Recommended Outcomes

Attachment 5

Returned to Department/Instructor for Revision/Further Information/Clarification		
Course No.	**Course Title**	**Reason for Return**

Stuart J. Haring

Associate Professor
Department of Chemistry and Biochemistry
North Dakota State University

NDSU Dept. 2710, P.O. Box 6050
Fargo, ND 58108-6050
(701) 231-7945
stuart.haring@ndsu.edu

Curriculum Vitae

Academic Background

Ph.D. **Major: Biology** **Emphasis: Genetics/Molecular and Cellular Biology**	1997-2004	University of Iowa (Iowa City, IA) Department: Biological Sciences Advisor: Dr. Robert E. Malone, Ph.D. Thesis: "Meiotic recombination initiation in *Saccharomyces cerevisiae*."
B.Sc. **Major: Biology** **Minor: Chemistry**	1993-1997	University of North Dakota (Grand Forks, ND)

Education and Employment

Associate Professor	2015-Present	North Dakota State University (Fargo, ND) Department: Chemistry and Biochemistry
Assistant Professor (Tenure-Track)	2008-2015	North Dakota State University (Fargo, ND) Department: Chemistry and Biochemistry
Faculty	2009-Present	North Dakota State University (Fargo, ND) Department: Interdisciplinary Program in Cellular and Molecular Biology
Postdoctoral Fellow **Emphasis: Biochemistry and Molecular Biology**	2004-2008	University of Iowa (Iowa City, IA) Department: Biochemistry Advisor: Dr. Marc S. Wold, Ph.D.
Graduate Research/ Teaching Assistant	1997-2004	University of Iowa (Iowa City, IA) Department: Biological Sciences Advisor: Dr. Robert E. Malone, Ph.D.

Teaching, Mentoring, and Advising

Teaching Experience

Assistant/Associate Professor	2008-Present	North Dakota State University (Fargo, ND) Department: Chemistry and Biochemistry Courses: BIOC 474/674: Methods of Recombinant DNA Technology BIOC 487: Molecular Biology of Gene Expression BIOC 719: Molecular Biology of Gene Expression and Regulation BIOC 720: Scientific Integrity CHEM 380: Junior Seminar CHEM 491: Senior Seminar

Instructor	2007	University of Iowa (Iowa City, IA) Department: Biochemistry Course: Summer CERT Minicourse
Visiting Assistant Professor	2004	University of Iowa (Iowa City, IA) Department: Biological Sciences Course: BIOL 002:128 Fundamental Genetics
Graduate Teaching Assistant	1999-2004	University of Iowa (Iowa City, IA) Department: Biological Sciences Course: BIOL 002:128 Fundamental Genetics
Guest Lecturer	2001-2003	University of Iowa (Iowa City, IA) Department: Biological Sciences Course: BIOL 002:128 Fundamental Genetics Number of Lectures: 5

Teaching Evaluations

Term[a]	Prefix[b]	Course[b]	Section	Credits	# Enrolled	% Effort	Course Rating	Instructor Rating
161	BIOC	487	5743	3	11	100%	4.600	4.600
					Mean:	Department		
						College		
						University		
153	BIOC	674	5792	3	5	100%	4.500	4.333
		474	5790	3	14	100%	4.059	4.118
		674	8987	3	6	100%	4.600	4.200
		474	8986	3	3	100%	4.333	4.667
					Mean:	Department	4.150	4.198
						College	4.074	4.223
						University	4.154	4.264
151	BIOC	487	4639	3	9	100%	4.714	4.857
					Mean:	Department	3.737	3.755
						College	3.971	4.099
						University	4.115	4.230
143	BIOC	674	6983	3	4	100%	5.000	5.000
	BIOC	474	6981	3	14	100%	4.400	4.300
	BIOC	674	8314	3	4	100%	4.667	5.000
	BIOC	474	8313	3	19	100%	4.500	4.000
					Mean:	Department	3.849	3.896

Term[a]	Prefix[b]	Course[b]	Section	Credits	# Enrolled	% Effort	Course Rating	Instructor Rating
						College	3.967	4.141
						University	4.123	4.236
141	BIOC	487	5154	3	18	100%	4.214	4.214
	BIOC	720	4653	1	NA	6%	NA	NA
					Mean:	Department	3.928	3.995
						College	3.931	4.080
						University	4.089	4.219
133	BIOC	674	6909	3	3	100%	4.667	4.333
	BIOC	474	6908	3	13	100%	4.385	4.077
	BIOC	674	5520	3	4	100%	4.750	4.750
	BIOC	474	5518	3	20	100%	4.278	4.222
					Mean:	Department	3.855	3.871
						College	3.965	4.150
						University	4.118	4.243
131	BIOC	487	04651	3	8	100%	4.429	4.429
	BIOC	720	03908	1	15	6%	NA	NA
					Mean:	Department	3.481	3.302
						College	3.977	4.117
						University	4.096	4.228
123	CHEM	491	06269	2	25	100%	4.600	4.800
	CHEM	380	06265	1	16	100%	4.636	4.545
	BIOC	674	07604	3	3	100%	3.667	4.333
	BIOC	474	07603	3	12	100%	4.125	4.250
	BIOC	674	06133	3	4	100%	5.000	5.000
	BIOC	474	06131	3	17	100%	4.091	4.273
					Mean:	Department	4.345	4.356
						College	3.976	4.163
						University	4.117	4.241
121	BIOC	720	04035	1	15	6%	NA	NA
	BIOC	487	17011	3	14	100%	4.583	4.750
					Mean:	Department	3.651	3.824
						College	3.929	4.073

Term[a]	Prefix[b]	Course[b]	Section	Credits	# Enrolled	% Effort	Course Rating	Instructor Rating
						University	4.065	4.189
113	CHEM	491	08903	2	13	100%	NA	NA
	CHEM	380	08899	1	24	100%	NA	NA
	BIOC	674	10397	3	4	100%	4.500	4.500
	BIOC	474	10396	3	20	100%	4.500	4.500
	BIOC	674	08761	3	4	100%	4.385	4.429
	BIOC	474	08759	3	18	100%	4.375	4.375
					Mean:	Department	3.731	3.705
						College	3.986	4.154
						University	4.098	4.229
111	BIOC	720	08689	1	15	6%	NA	NA
	BIOC	719	07565	3	6	50%	4.667	4.500
	BIOC	487	30619	3	8	50%	4.625	4.750
					Mean:	Department	3.948	3.986
						College	3.953	4.116
						University	4.075	4.218
103	BIOC	487	12688	3	13	100%	4.615	4.615
	BIOC	674	08370	3	5	100%	4.250	4.500
	BIOC	474	08366	3	15	100%	4.533	4.467
					Mean:	Department	3.767	3.761
						College	3.937	4.112
						University	4.105	4.257
101	BIOC	720	32278	1	15	6%	NA	NA
093	BIOC	674	05602	3	4	100%	4.500	5.000
	BIOC	474	05601	3	18	100%	4.167	3.944
	BIOC	674	03670	3	3	100%	4.667	4.667
	BIOC	474	03668	3	12	100%	3.667	3.500
					Mean:	Department	3.880	3.951
						College	3.920	4.135
						University	4.050	4.210

[a] 093 = spring 2009; 101 = fall 2009; 103 = spring 2010; 111 = fall 2010; 113 = spring 2011; 121 = fall 2011; 123 = spring 2012

[b] BIOC 474/674 = Methods of Recombinant DNA Technology; BIOC 487 = Molecular Biology of Gene Expression; BIOC 720 = Scientific Integrity; BIOC 719 = Molecular Biology of Gene Expression and Regulation; CHEM 380: Junior Seminar; CHEM 491: Senior Seminar

Pending = current semester and no ratings available yet; NA = not available

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Mentoring Experience (Undergraduate denoted by *; High School denoted by #)

Graduated

Megan F. Palmer	2008-2011	Institution: North Dakota State University (Fargo, ND) Degree: Biochemistry and Molecular Biology – M.S.
Gunjan Piya	2010-2013	Institution: North Dakota State University (Fargo, ND) Degree: Biochemistry and Molecular Biology – M.S.
Padmaja L. Ghospurkar	2008-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Candidate

Current

Timothy M. Wilson	2012-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program
Barbara Senger*	2013-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – B.Sc. Candidate
Francis Landman*	2014-Present	Institution: North Dakota State University (Fargo, ND) Program: Biotechnology – B.Sc. Candidate
Nolan M. Miles*	2014-Present	Institution: North Dakota State University (Fargo, ND) Program: Zoology – B.Sc. Candidate
Brian Samuelson*	2014-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – B.Sc. Candidate
Jenna Saunders	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Zoology – B.Sc. Candidate
Jessica Kesson	2015-Present	Institution: North Dakota State University (Fargo, ND) Degree: Biotechnology – B.Sc.
Courtney Karnopp	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Biology – B.Sc. Candidate
Angela M. Adsero	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Cellular and Molecular Biology – Ph.D. Program
Trevor A. Baumgartner	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program

Hermella Alemneh	2015-Present	Institution: Minnesota State University-Moorhead (Moorhead, MN) Program: Biology – B.Sc.
Allison Christensen	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Zoology – B.Sc. Candidate
Anna Reinholz	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Zoology – B.Sc. Candidate

Previous

Erica N. Mueller	2012-2015	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – M.S. Program
Nana K. Ingram*	2014	Institution: Illinois Wesleyan (Bloomington, IL) Program: Research Experience for Undergraduates (REU)
Kelly Tran#	2014	Institution: West Fargo High School (West Fargo, ND) Program: Governor's School
Ryan Lenz*	2013-2014	Institution: North Dakota State University (Fargo, ND) Program: Biotechnology – B.Sc.
Jason Balster*	2012-2013	Institution: North Dakota State University (Fargo, ND) Program: Zoology – B.Sc. Candidate
Amber L. Severson*	2011-2013	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – B.Sc.
Timothy M. Wilson*	2011-2012	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – B.Sc.
Anna Herauf*	2013	Institution: Augsburg College (Minneapolis, MN) Program: Research Experience for Undergraduates (REU)
Jenna Steffes#	2013	Institution: Lisbon High School (Lisbon, ND) Program: Governor's School
Alexis Larson*	2012-2013	Institution: North Dakota State University (Fargo, ND) Program: Microbiology – B.Sc. Candidate
Heather K. Haas*	2012	Institution: Dickinson State University (Dickinson, ND) Program: Research Experience for Undergraduates (REU)
Emma Twedt#	2012	Institution: Kindred High School (Kindred, ND) Program: Governor's School
Kaitlin M. Dailey*	2011-2012	Institution: Northpark University (Chicago, IL) Program: Center of Biomedical Research Excellence (COBRE) – Research Experience for Undergraduates (REU)
Barbara Senger#	2011	Institution: Mandan High School (Mandan, ND) Program: Governor's School
Kit K. Wong*	2009-2011	Institution: North Dakota State University (Fargo, ND) Program: Ronald E. McNair Scholars Program

Jeffrey C. Wallgren*	2010	Institution: North Dakota State University (Fargo, ND) Program: Biotechnology – B.Sc.
Christina M. Allen*	2010	Institution: University of Mary (Bismarck, ND) Program: Center of Biomedical Research Excellence (COBRE) – Research Experience for Undergraduates (REU)
Emma E. Christy*	2009-2010	Institution: Concordia College (Moorhead, MN) Program: Center of Biomedical Research Excellence (COBRE) – Research Experience for Undergraduates (REU)
Derek M. Miller*	2009-2010	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – B.Sc.
Alisa B. Wobbema*	2009	Institution: University of Minnesota (Minneapolis, MN) Program: Summer Research Assistant
Aunika Swenson#	2009	Institution: Dickinson High School (Dickinson, ND) Program: Governor's School
Ryan Unruh*	2009	Institution: North Dakota State University (Fargo, ND) Program: Biotechnology – B.Sc.
Scott M. Ennis*	2009	Institution: North Dakota State University (Fargo, ND) Program: Biotechnology – B.Sc.
Angela M. Kephart*	2007	Institution: Clarke College (Dubuque, IA) Program: University of Iowa Summer Biochemistry Research Program

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Research Activities

Researcher ID Numbers

Web of Science/Knowledge Researcher ID#	E-7481-2012
ORCID #	0000-0002-6169-3547

Peer-Reviewed Publications

Piya, G., Mueller, E. N., Haas, H. K., Ghospurkar, P. L., Wilson, T. M., Jensen, J. L., Colbert, C. L., and **Haring, S. J.** (2015) "Characterization of the interaction between Rfa1 and Rad24 in *Saccharomyces cerevisiae*." *PLoS One* **10(2)**: e0116512. PMID: 25719602.

Ghospurkar, P. L., Wilson, T. M., Severson, A. L., Klein, S. J., Khaku, S. K., Walther, A. P., and **Haring, S. J.** (2015) "Distinct roles for the Rfa2 N-terminus in the DNA damage response and adaptation in *Saccharomyces cerevisiae*." *Genetics* **199(3)**: 711-727. PMID: 25595672.

Ghospurkar, P. L., Wilson, T. M., Liu, S., Oakley, G. G., Herauf, A., Steffes, J., Dailey, K. M., Mueller, E. N., and **Haring, S. J.** (2015) "Phosphorylation and cellular function of the human Rpa2 N-terminus in the yeast *Saccharomyces cerevisiae*." *Exp Cell Res* **331(1)**: 183-199. PMID: 25499885.

Kemp, M. G., Mason, A. C., Carreira, A., Reardon, J. T., **Haring, S. J.**, Borgstahl, G. E., Kowalczykowski, S. C., Sancar, A., Wold, M. S. (2010) "An alternative form of Replication Protein A expressed in normal human tissues supports DNA repair." *J Biol Chem* **285(7)**: 4788-4797. PMID: 19996105.

Haring, S. J., Humphreys, T. D., and Wold, M. S. (2010) "A naturally-occurring human RPA subunit homolog does not support DNA replication or cell cycle progression." *Nucleic Acids Res*. **38(3)**: 846-858. PMID: 19942684.

Koehn, D. R., **Haring, S. J.**, Williams, J. M., and Malone, R. E. (2009) "Targeting components of a recombination initiation complex to unnatural sites for recombination." *Genetics* **182(2)**: 447-458. PMID: 19332879.

Mason, A. C., **Haring, S. J.**, Pryor, J. M., Staloch, C. A., Gan, T. F., and Wold, M. S. (2009) "An alternative form of RPA prevents viral replication *in vitro*." *J Biol Chem* **284(8)**: 5324-5331. PMID: 19116208.

Haring, S. J., Binz, S. K., Mason, A. D., and Wold, M. S. (2008) "Cellular functions of human RPA1: Multiple roles of domains in replication, repair, and checkpoints." *J Biol Chem* **283(27)**: 19095-19111. PMID: 18469000.

Grudic, A., Jul-Larsen, Å, **Haring, S. J.**, Wold, M. S., Lønning, P. E., Bjerkvig, R., Bøe, S. O. (2007) "Replication Protein A is required for telomere capping in cells that use alternative lengthening of telomeres." *Nucleic Acids Res* **35(21)**: 7267-7278. PMID: 17959650.

Malone, R. E., **Haring, S. J.**, Pansegrau, M. L., Foreman, K. E., Smith, S. M., Carpp, L., Houdek, D. R., Shah, B., and Lee, K. E. (2004) "The signal from the initiation of meiotic recombination to the first division of meiosis." *Eukaryot Cell* **3(3)**: 598-609. PMID: 15189982.

Haring, S. J., Lautner, L. J., Comeron, J. M., and Malone R. E. (2004) "A test of the CoHR motif associated with meiotic double-strand breaks in *Saccharomyces cerevisiae*." *EMBO Rep* **5(1)**: 41-46. PMID: 14710185.

Haring, S. J., Halley, G. R., Jones, A. J., and Malone, R. E. (2003) "Properties of natural double-strand break sites at a recombination hotspot in *Saccharomyces cerevisiae*." *Genetics* **165(1)**: 101-114. PMID: 14504220.

Invited Publications

Haring, S. J. and Wold, M. S. (2007) "A common means to an end." *Nat Struct Mol Biol* **14(3)**: 176-177. PMID: 17334404.

Binz, S. K., Dickson, A. M., **Haring, S. J.**, and Wold, M. S. (2006) "Functional assays for Replication Protein A (RPA)." *Methods Enzymol* **409**: 11-38. PMID: 16793393.

*Presentations (Presenter is underlined; Undergraduate denoted by *; High School denoted by #)*

Miles, N.M.* and **Haring, S.J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "Biochemical evidence identifying regions of Rfa2 responsible for checkpoing adaptation in yeast."

Samuelson, B. D.* and **Haring, S.J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "Effects of charge on the phosphorylation of the Rfa2 N-terminus in yeast."

Senger, B. L.* and **Haring, S.J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "Identification of conserved properties of Rpa2 phosphorylation during the DNA damage response."

Adsero, A. M. and **Haring, S.J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "Using CRISPR-Cas9 to rescue meiotic recombination in recombination-defective cells."

Baumgartner, T. A. and **Haring, S.J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "Determining the role of phosphatase activity on Rpa2 phosphorylation and checkpoint arrest."

Wilson, T. M., Ghospurkar, P. L., and **Haring, S.J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "A novel role for RPA phosphorylation in the face of persistent DNA damage."

Warns, J., Krueger, S., Qureshi, H, Christensen, A.*, Reinholz, A.*, Baumgartner, T. A., **Haring, S.J.**, and Dhasarathy, A. (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "A role for the SNAIL transcription factor in alternative splicing during EMT."

Christensen, A.*, Reinholz, A.*, Baumgartner, T. A., Warns, J., Krueger, S., Qureshi, H, Dhasarathy, A., and **Haring, S. J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Poster Presentation – "Testing the interaction between SNAIL and SRSF1 using the yeast two-hybrid interaction system."

Karnopp, C.* and **Haring, S.J.** (2016) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Poster Presentation – "The role of the Rpa2 N-terminus in gamete formation."

Khan, A.[#], Senger, B. L.*, and **Haring, S. J.** (2015) Governor's School: North Dakota State University (Fargo, ND). Poster and Oral Presentation – "Using CRISPR-Cas9 as a tool to rescue defective meiotic recombination."

Wilson, T. M. (2015) North Dakota Academy of Science (NDAS) Annual Meeting (Fargo, ND). Oral Presentation – "Phosphorylation of 'humanized' and eukaryotic RPA in yeast and its potential role in checkpoint regulation."

Wilson, T. M., Ghospurkar, P. L., Senger, B. L.*, and **Haring, S. J.** (2015) American Society for Biochemistry and Molecular Biology (ASBMB) – Experimental Biology Meeting (Boston, MA). Poster Presentation – "*Saccharomyces cerevisiae* as a tool to examine Rpa2 N-terminal phosphorylation across common *Eukarya*."

Haring, S. J. (2015) Southeastern Regional Yeast Meeting (SERYM) (Little Rock, AR). Oral Presentation – "DNA damage-dependent phosphorylation of 'humanized' and other eukaryotic RPA in yeast."

Ghospurkar, P. L., Wilson, T. M., Dailey, K. M., Mueller, E. N., Liu, S., Oakley, G. G., Klein, S. J.*, Khaku, S. K.*, Walther, A. P., Herauf, A.*, Steffes, J.[#], and **Haring, S. J.** (2014) Federation of American Societies for Experimental Biology (FASEB) Science Research Conference: Yeast Chromosome Structure, Replication, and Segregation (Steamboat Springs, CO). Poster Presentation – "Yeast as a model system for examining phosphorylation of higher eukaryotic Replication Protein A."

Ghospurkar, P. L., Wilson, T. M., Severson, A. L., Klein, S. J.*, Khaku, S. K.*, Walther, A. P., and **Haring, S. J.** (2014) Genetics Society of America (GSA): Yeast Genetics Meeting (Seattle, WA). Poster Presentation – "Distinct roles for the Rfa2 N-terminus in the DNA damage response and adaptation in *Saccharomyces cerevisiae*."

Wilson, T. M., Dailey, K. M., Herauf, A.*, Steffes, J.[#], Mueller, E. N., Ghospurkar, P. L., and **Haring, S. J.** (2014) Genetics Society of America (GSA): Yeast Genetics Meeting (Seattle, WA). Poster Presentation – "Interchangeable parts: Determining Rpa2 N-terminal and loop 3-4 function through the use of human/yeast Rpa2 hybrid proteins."

Ghospurkar, P. L. and **Haring, S. J.** (2014) North Dakota State University (NDSU) Center for Protease Research (CPR) Frontiers in Biomedical Research Symposium (Fargo, ND). Poster Presentation – "The MCM complex interacts with Rfa1 through Mcm5, an interaction dependent on the Rfa2 phosphorylation state."

Dailey, K. M. and **Haring, S. J.** (2014) North Dakota State University (NDSU) Center for Protease Research (CPR) Frontiers in Biomedical Research Symposium (Fargo, ND). Poster Presentation – "The characterization of the Rfa1 interaction with Csm3, Mrc1, and Tof1."

Mueller, E. N., Piya, G., Severson, A. L., and **Haring, S. J.** (2014) North Dakota State University (NDSU) Center for Protease Research (CPR) Frontiers in Biomedical Research Symposium (Fargo, ND). Poster Presentation – "Characterization of RPA-protein interactions and their dependence on the phospho-mimetic state of the N-terminus of *Saccharomyces cerevisiae* Rfa2."

Lenz, R. R.* and **Haring, S. J.** (2014) North Dakota State University (NDSU) Center for Protease Research (CPR) Frontiers in Biomedical Research Symposium (Fargo, ND). Poster Presentation – "Tandem affinity purification of Rfa2 leads to identifying protein-protein interactions and post-translational modifications."

Wilson, T. M., Herauf, A.*, Steffes, J.#, Mueller, E. N., Ghospurkar, P. L., and **Haring, S. J.** (2014) North Dakota State University (NDSU) Center for Protease Research (CPR) Frontiers in Biomedical Research Symposium (Fargo, ND). Poster Presentation – "Interchangeable parts: Determining Rpa2 N-terminal function through the use of human/yeast Rpa2 hybrid proteins."

Ghospurkar, P. L., Severson, A. L., and **Haring, S. J.** (2014) North Dakota Academy of Science Annual Meeting (Valley City, ND). Oral Presentation – "The N-terminal phosphorylation domain of Rfa2 is essential but its phosphorylation is dispensable in *S. cerevisiae*."

Dailey, K. M. and **Haring, S. J.** (2014) North Dakota Academy of Science Annual Meeting (Valley City, ND). Oral Presentation – "The characterization of the Rfa1 interaction with Csm3, Mrc1, and Tof1."

Mueller, E. N., Piya, G., Severson, A. L., and **Haring, S. J.** (2014) North Dakota Academy of Science Annual Meeting (Valley City, ND). Oral Presentation – "Characterization of RPA-protein interactions and their dependence on the phospho-mimetic state of the N-terminus of *Saccharomyces cerevisiae* Rfa2."

Wilson, T. M., Herauf, A.*, Ghospurkar, P. L., Dailey, K. M., and **Haring, S. J.** (2014) North Dakota Academy of Science Annual Meeting (Valley City, ND). Oral Presentation – "*Saccharomyces sapiens*: N-terminal Rfa2 phosphorylation of human-yeast fusion proteins."

Wilson, T. M., Dailey, K. M.*, and **Haring, S. J.** (2013) Cold Spring Harbor Symposium: Eukaryotic DNA Replication and Genome Maintenance (Cold Spring Harbor, NY). Poster Presentation – "The role of the N-terminus of Rfa2 in double-strand break repair in budding yeast."

Ghospurkar, P. L., Severson, A. L.*, and **Haring, S. J.** (2013) Cold Spring Harbor Symposium: Eukaryotic DNA Replication and Genome Maintenance (Cold Spring Harbor, NY). Poster Presentation – "The N-terminal domain of Rfa2 in *Saccharomyces cerevisiae* is necessary, but its phosphorylation is not required, for the response to DNA damage."

Mueller, E. N., Piya, G., Severson, A. L.*, and **Haring, S. J.** (2013) Cold Spring Harbor Symposium: Eukaryotic DNA Replication and Genome Maintenance (Cold Spring Harbor, NY). Poster Presentation – "Characterization of RPA-protein interactions and their dependence on the phospho-mimetic state of the N-terminus of *Saccharomyces cerevisiae* Rfa2."

Herauf, A.*, Mueller, E. N., and **Haring, S. J.** (2013) National Science Foundation (NSF) Research Experience for Undergraduates: Chemistry and Biochemistry, North Dakota State University (Fargo, ND). Poster Presentation – "Properties of the human Rpa2 phosphorylation domain using yeast/human Rpa2 hybrids in yeast cells."

Steffes, J.[#], Ghospurkar, P. L., and **Haring, S. J.** (2013) Governor's School: North Dakota State University (Fargo, ND). Poster and Oral Presentation – "Examining the function of human RPA in yeast."

Ghospurkar, P. L. and **Haring, S. J.** (2012) North Dakota Experimental Program to Stimulate Competitive Research (EPSCoR) Meeting (Grand Forks, ND). Poster Presentation – "Interaction between human Replication Protein A and a complex important for chromatin remodeling in transcription and DNA repair."

Wilson, T. M. and **Haring, S. J.** (2012) North Dakota Experimental Program to Stimulate Competitive Research (EPSCoR) Meeting (Grand Forks, ND). Poster Presentation – "Is Replication Protein A phosphorylation important for proper meiosis?"

Piya, G. and **Haring, S. J.** (2012) North Dakota Experimental Program to Stimulate Competitive Research (EPSCoR) Meeting (Grand Forks, ND). Poster Presentation – "Identifying protein interactions with Replication Protein A that are important for the DNA damage response."

Severson, A. L.* and **Haring, S. J.** (2012) North Dakota Experimental Program to Stimulate Competitive Research (EPSCoR) Meeting (Grand Forks, ND). Poster Presentation – "Identifying target residues of Replication Protein A important for its post-translational modification and cellular function."

Ghospurkar, P. L. and **Haring, S. J.** (2012) American Society for Microbiology (ASM) – North Central Branch Meeting: North Dakota State University (Fargo, ND). Oral Presentation – "Interactions between Replication Protein A and factors necessary to prevent mutation."

Dailey, K. M.* and **Haring, S. J.** (2012) National Science Foundation (NSF) Research Experience for Undergraduates: Chemistry and Biochemistry, North Dakota State University (Fargo, ND). Poster Presentation – "Replication Protein A function in double-strand break repair."

Haas, H.*, Piya, G., and **Haring, S. J.** (2012) National Science Foundation (NSF) Research Experience for Undergraduates: Chemistry and Biochemistry, North Dakota State University (Fargo, ND). Poster Presentation – "The N-termini of two subunits of Replication Protein A are important for mediating protein interactions."

Twedt, E.[#] and **Haring, S. J.** (2012) Governor's School: North Dakota State University (Fargo, ND). Poster and Oral Presentation – "Finding the locations of interactions between proteins and Rpa1."

Wilson, T. M.* and **Haring, S. J.** (2012) American Society for Biochemistry and Molecular Biology (ASBMB) – Experimental Biology Meeting (San Diego, CA). Poster Presentation – "Replication Protein A and sex: What's phosphorylation go to do with it?"

Wilson, T. M.* and **Haring, S. J.** (2011) ASBMB and ACS Undergraduate Research in Molecular Sciences (URMS) Meeting: Minnesota State University – Moorhead (Moorhead, MN). Oral Presentation – "Replication Protein A and sex: What's phosphorylation got to do with it?"

Dailey, K. M.*, Christy, E. E.*, and **Haring, S. J.** (2011) COBRE Research Experience for Undergraduates: North Dakota State University (Fargo, ND). Poster Presentation – "Replication Protein A involvement in cell cycle progression."

Wilson, T. M.* and **Haring, S. J.** (2011) COBRE Research Experience for Undergraduates: North Dakota State University (Fargo, ND). Poster Presentation – "Determining the function of Rfa2 phosphorylation in meiosis."

Senger, B.[#] and **Haring, S. J.** (2011) Governor's School: North Dakota State University (Fargo, ND). Poster and Oral Presentation – "Examining the importance of Rfa2 phosphorylation through gene knockouts and genetic interactions."

Ghospurkar, P. L., Wallgren, J. C.*, and **Haring, S. J.** (2011) Keystone Symposium – Mechanisms of DNA Replication and Repair (Keystone, CO). Poster Presentation – "Identifying important sites of phosphorylation, potential targets of methyltransferase activity, and genetic interactions involving the 32 kDa subunit of Replication Protein A in yeast."

Wallgren, J. C.* and **Haring, S. J.** (2010) ASBMB and ACS Undergraduate Research in Molecular Sciences Meeting (URMS): Concordia College (Moorhead, MN). Poster Presentation – "Identifying potential targets of histone methyltransferase activity and the effect on phosphorylation of the 32 kDa subunit of Replication Protein A in yeast."

Wong, K. K.* and **Haring, S. J.** (2010) ASBMB and ACS Undergraduate Research in Molecular Sciences Meeting: Concordia College (Moorhead, MN). Poster Presentation – "Designing a TOPO-like vector for cloning and gene knockout in yeast."

Allen, C. M.*, Haring, J. S., and **Haring, S. J.** (2010) COBRE Research Experience for Undergraduates: North Dakota State University (Fargo, ND). Poster Presentation – "Communication between RPA subunits in growth and in response to DNA damage."

Ghospurkar, P. L, Wong, K. K.*, and **Haring, S. J.** (2010) Frontiers in Biomedical Research Symposium: North Dakota State University (Fargo, ND). Poster Presentation – "Examining the role of RPA subunit expression on cell growth in human cells."

Christy, E. E.*, Haring, J. S., and **Haring, S. J.** (2009) ASBMB Undergraduate Research in Molecular Sciences Meeting: North Dakota State University (Fargo, ND). Poster Presentation – "Replication Protein A involvement in cell cycle progression."

Wong, K. K.* and **Haring, S. J.** (2009) ASBMB Undergraduate Research in Molecular Sciences: North Dakota State University (Fargo, ND). Poster Presentation – "Measuring and manipulating RPA expression in human cells."

Swenson, A.# and **Haring, S. J.** (2009) Governor's School: North Dakota State University (Fargo, ND). Poster and Oral Presentation – "Examining the effects of *in vitro* site-directed mutations in Replication Factor A."

Christy, E. E.*, Haring, J. S., and **Haring, S. J.** (2009) COBRE Research Experience for Undergraduates: North Dakota State University (Fargo, ND). Poster Presentation – "Replication Protein A involvement in cell cycle progression."

Wong, K. K.*, Ghospurkar, P. L., and **Haring, S. J.** (2009) COBRE Research Experience for Undergraduates: North Dakota State University (Fargo, ND). Poster Presentation – "Measuring and manipulating RPA expression in human cells."

Ennis, S.*, Wobbema, A.*, and **Haring, S. J.** (2009) COBRE Research Experience for Undergraduates: North Dakota State University (Fargo, ND). Poster Presentation – "Examining the damage response of RFA in yeast."

Ghospurkar, P. L. and **Haring, S. J.** (2009) Department of Chemistry, Biochemistry, and Molecular Biology: North Dakota State University (Fargo, ND). Poster Presentation – "Using yeast as a vehicle to study human Replication Protein A."

Haring, S. J., Mason, A. C., Pryor, J. M., Staloch, C. A., and Wold, M. S. (2008) Salk/CalTech/USC Meeting: DNA Replication and Genome Integrity (La Jolla, CA). Oral Presentation – "A naturally-occurring human RPA subunit homolog that prevents DNA replication and cell cycle progression."

Haring, S. J., Binz, S. K., and Wold, M. S. (2007) Cold Spring Harbor Symposium: Eukaryotic DNA Replication and Genome Maintenance (Cold Spring Harbor, NY). Poster Presentation – "Domain contributions to cellular functions of human Replication Protein A."

Haring, S. J. and Wold, M. S. (2006) Midwest Chromatin, Transcription, and Nuclear Dynamics Meeting (Iowa City, IA). Oral Presentation – "Cellular functions of Replication Protein A."

Haring, S. J., Binz, S. K., and Wold, M. S. (2005) Cold Spring Harbor Symposium: Eukaryotic DNA Replication and Genome Maintenance (Cold Spring Harbor, NY). Poster Presentation – "Cellular functions of Replication Protein A."

Sheehan, A. M., Leary, D. L., **Haring, S. J.**, and Wold, M. S. (2005) Keystone Symposium: Mechanisms of Replication and Recombination (Keystone, CO). Poster Presentation – "Replication Protein A: Multiple domains are responsible for Replication Protein A activity *in vitro*."

Haring, S. J., Lautner, L. J., Houdek, D. R., Foreman, K. E., Pansegrau, M. L., and Malone, R. E. (2003) Federation of American Societies for Experimental Biology (FASEB) Summer Research Conference: Genetic Recombination and Chromosomal Rearrangements (Snowmass, CO). Poster Presentation – "Meiotic recombination initiation in *Saccharomyces cerevisiae*."

Haring, S. J., Jones, A. J., and Malone, R. E. (2002) Genetics Society of America (GSA): Yeast Genetics and Molecular Biology Meeting (Madison, WI). Poster Presentation – "Double-strand break sites at the recombination hotspot *HIS2* do not compete, and the sequences where they occur are important."

Haring, S. J., Halley, G. R., and Malone, R.E. (2000) Genetics Society of America (GSA): Yeast Genetics and Molecular Biology Meeting (Seattle, WA). Poster Presentation – "Analysis of DNA sequences important for high levels of meiotic recombination at the *HIS2* gene."

Invited Seminars

Center for Protease Research (CPR) Scientific Presentations (Fargo, ND). (2016) "CRISPR-Cas9 as a method for repair of reproductive defects due to improper gametogenesis."

School of Medicine – University of North Dakota (Grand Forks, ND). (2014) "Understanding how cells prevent mutation and disease using baker's yeast."

DNA Repair Group – Colorado State University (Fort Collins, CO). (2014) "Yeast as a model system for examining phosphorylation of higher eukaryotic Replication Protein A."

North Dakota State University (NDSU) Center for Protease Research (CPR) Symposium on Biomedical Research (Fargo, ND). (2014) "Coordinating the cellular response to aberrant DNA through Replication Protein A."

School of Biological Sciences – University of Nebraska-Lincoln (Lincoln, NE). (2013) "Guilt by association: Examining Replication Protein A function in genomic maintenance through physical and genetic interactions."

Interdisciplinary Cellular and Molecular Biology Program – North Dakota State University (Fargo, ND). (2013) "Guilt by association: Examining Replication Protein A function in genomic maintenance through physical and genetic interactions."

Centers of Biomedical Research Excellence (CoBRE) – North Dakota State University (Fargo, ND). (2012) "Guilt by association: Investigating novel protein interactions with a complex essential to prevent mutation."

Science Café – North Dakota State University (Fargo, ND). (2011) "DNA profiling: Providing justice…one molecule at a time."

Interdisciplinary Cellular and Molecular Biology Program – North Dakota State University (Fargo, ND). (2010) "Replication Protein A: The FEMA of the cell."

Department of Physics – North Dakota State University (Fargo, ND). (2008) "A naturally-occurring Replication Protein A homolog that prevents cell proliferation."

Recruiting

Dickinson State University (Dickinson, ND)	2010
Minot State University (Minot, ND)	2010

External Funding

Ongoing Research Support

"CAREER: Replication Protein A modification-dependent function in mitosis and meiosis."
Agency: National Science Foundation (NSF)
Program: Faculty Early Career Development (CAREER) (1253723)
Dates: Submitted: 07/23/2012; Funding Period: 07/01/2013-06/30/2018
Amount: $992,429 ($684,434 direct costs + $307,995 indirect costs)
Goal: To understand the role of Rpa2 phosphorylation in DNA processes that occur in response to genotoxic stress and developmental control
Role: PI
Score: Panel Recommendation – High Priority

Completed Research Support

"Research on the prairies: Undergraduate training in molecular sciences."
Agency: National Science Foundation (NSF)
Program: Research Experiences for Undergraduates (REU) (1062701)
Dates: Funding Period: 07/01/2011-06/30/2014
Amount: $330,000
Goal: To enhance undergraduate research opportunities in chemistry, biochemistry, and molecular biology
Role: Senior Personnel (PI: Dr. Erika Offerdahl; co-PI: Dr. Mukund Sibi)
Score: Funded

"Replication Protein A and its role in the regulation of *eNOS*, a gene essential for proper cardiovascular development."
Agency: American Heart Association (AHA) Midwest Affiliate
Program: Postdoctoral Fellowship
Dates: Funding Period: 07/01/2005-06/30/2007
Amount: $78,000
Goal: To examine the effects of Rpa2 phosphorylation on endothelial nitric oxide synthase (*eNOS*) gene expression
Role: Postdoctoral Fellow
Score: Funded (Priority score – 1.91; Percentile rank – 22.2%)

Declined Research Support

"Post-translational modifications of Replication Protein A in mitosis and meiosis."
Agency: National Institutes of Health (NIH)
Program: Academic Research Enhancement Award (R15) (1R15GM102752-01A1)
Dates: Submitted: 06/25/2012; Funding Period: 04/01/2013-03/31/2016
Amount: $432,394 ($299,235 direct costs + $133,159 indirect costs)
Goal: To understand the role of Rpa2 phosphorylation in DNA processes that occur in response to genotoxic stress and developmental control
Role: PI
Score: Priority score – 45

"Understanding mutant *eNOS* (-786T->C) expression and links to cardiovascular and oncogenic disease through studies of RPA."

Agency: American Heart Association (AHA) Midwest Affiliate
Program: Scientist Development Grant (SDG) (12SDG12200027)
Dates: Submitted: 01/27/2012; Funding Period: 07/01/2013-06/30/2015
Amount: $214,000 ($195,000 direct costs + $19,500 indirect costs)
Goal: To determine the function of RPA in regulating expression of genes that contain a mutant *eNOS* promoter or similar sequence (*e.g.*, URS1 in yeast)
Role: PI
Score: Good

"Post-translational modifications of Replication Protein A in mitosis and meiosis."

Agency: National Institutes of Health (NIH)
Program: Academic Research Enhancement Award (R15) (1R15GM102752-01)
Dates: Submitted: 10/25/2011; Funding Period: 07/01/2012-06/30/2015
Amount: $427,422 ($295,794 direct costs + $131,628 indirect costs)
Goal: To understand the role of Rpa2 phosphorylation in DNA processes that occur in response to genotoxic stress and developmental control
Role: PI
Score: Priority score – 49

"Replication Protein A4 function in proper maintenance and duplication of DNA."

Agency: National Science Foundation (NSF)
Program: Investigator-Initiated Research Projects (IIRP-MCB) (1158512)
Dates: Submitted: 09/06/2011; Funding Period: 07/01/2012-06/30/2016
Amount: $711,959 ($492,705 direct costs + $219,254 indirect costs)
Goal: To identify the mechanism(s) for how Rpa4 subunit expression in human cells contributes to cell growth and function in cell survival to genomic insults
Role: PI
Score: Withdrawn by PI as advised by Program Officer

"CAREER: Replication Protein A modification-dependent function in mitosis and meiosis."

Agency: National Science Foundation (NSF)
Program: Faculty Early Career Development (CAREER) (1150097)
Dates: Submitted: 07/22/2011; Funding Period: 07/01/2012-06/30/2017
Amount: $935,696 ($647,540 direct costs + $288,156 indirect costs)
Goal: To understand the role of Rpa2 phosphorylation in DNA processes that occur in response to genotoxic stress and developmental control
Role: PI
Score: Panel Recommendation – Low Priority

"Alternative Replication Protein A function in genome duplication and maintenance."

Agency: National Institutes of Health (NIH)
Program: Academic Research Enhancement Award (R15) (1R15CA152916-01A1)
Dates: Submitted: 10/25/2010; Funding Period: 07/01/2011-06/30/2014
Amount: $429,884 ($299,571 direct costs + $130,313 indirect costs)
Goal: To identify the mechanism(s) for how Rpa4 subunit expression in human cells contributes to cell growth and function in cell survival to genomic insults
Role: PI
Score: Priority score – 33

"CAREER: Replication Protein A modification-dependent function in mitosis and meiosis."
Agency: National Science Foundation (NSF)
Program: Faculty Early Career Development (CAREER) (1054544)
Dates: Submitted: 07/20/2010; Funding Period: 07/01/2011-06/30/2016
Amount: $792,146 ($552,018 direct costs + $240,128 indirect costs)
Goal: To understand the role of Rpa2 phosphorylation in DNA processes that occur in response to genotoxic stress and developmental control
Role: PI
Score: Panel Recommendation – High Priority

"Identification and dissection of alternative Replication Protein A function in genome maintenance and disease prevention."
Agency: National Institutes of Health (NIH)
Program: Academic Research Enhancement Award (R15) (1R15CA152916-01)
Dates: Submitted: 10/25/2009; Funding Period: 07/01/2010-06/30/2013
Amount: $425,468 ($300,000 direct costs + $125,468 indirect costs)
Goal: To identify the mechanism(s) for how Rpa4 subunit expression in human cells contributes to cell growth and function in cell survival to genomic insults
Role: PI
Score: Priority score – 67

"Replication Protein A4 as a mechanism to prevent abnormal cell growth."
Agency: American Cancer Society
Program: Research Scholar Grants in Basic, Preclinical, Clinical, and Epidemiology Research
Dates: Submitted: 10/15/2009; Funding Period: 07/01/2010-06/30/2014
Amount: $828,370 ($692,191 direct costs + $136,179 indirect costs)
Goal: To identify the mechanism(s) for how Rpa4 subunit expression in human cells contributes to cell growth and function in cell survival to genomic insults
Role: PI
Score: Good

Internal Funding

Ongoing Research Support – no ongoing internal funding

Completed Research Support

Startup Funds
Agency: College of Science and Mathematics – NDSU (Fargo, ND)
Dates: 07/01/2012-06/30/2013
Amount: $10,000
Goal: Establish a biochemistry and molecular biology research program at NDSU
Role: PI

Startup Funds
Agency: Department of Chemistry and Biochemistry – NDSU (Fargo, ND)
Dates: 07/01/2010-06/30/2013
Amount: $40,000
Goal: Establish a biochemistry and molecular biology research program at NDSU
Role: PI

"Directing protein interactions through Rpa2 post-translational modification."
Agency: Center of Biomedical Research Excellence (CoBRE), Center for Protease Research – NDSU (Fargo, ND) via National Institutes of Health (5P20RR015566 and 1P30GM103332)
Program: Seed Grant
Dates: 08/01/2012-06/30/2013
Amount: $7,000 (withdrawn during transition to CoBRE III)
Goal: Examine the roles of post-translational modification of Rpa2 on protein interactions
Role: PI

Startup Funds
Agency: Department of Chemistry and Biochemistry – NDSU (Fargo, ND)
Dates: 07/01/2009-06/30/2010
Amount: $38,000
Goal: Establish a biochemistry and molecular biology research program at NDSU
Role: PI

"Examination of a novel Replication Protein A homolog with anti-proliferative properties."
Agency: Center of Biomedical Research Excellence (CoBRE), Center for Protease Research – NDSU (Fargo, ND) via National Institutes of Health (5P20RR015566)
Program: Seed Grant
Dates: 01/01/2009-06/30/2009
Amount: $15,000
Goal: To develop tools to study Rpa4 expression and its effects in tissue culture cells
Role: PI

Startup Funds
Agency: Department of Chemistry and Biochemistry – NDSU (Fargo, ND) via National Institute of Justice (2004RGCX-K001)
Dates: 07/01/2008-06/30/2010
Amount: $223,000
Goal: Establish a biochemistry and molecular biology research program at NDSU
Role: co-PI

Startup Funds
Agency: Department of Chemistry and Biochemistry – NDSU (Fargo, ND) via National Institutes of Health (5P20RR015566)
Dates: 07/01/2008-06/30/2010
Amount: $75,000
Goal: Establish a biochemistry and molecular biology research program at NDSU
Role: co-PI

"Cellular and biochemical roles of an alternative Replication Protein A complex."
Agency: Holden Comprehensive Cancer Center – University of Iowa (Iowa City, IA)
Program: Center for Aging Program Grant
Dates: 07/01/2007-06/30/2008
Amount: $50,000
Goal: To determine the anti-proliferative effects and properties of Rpa4 subunit expression in human cells and to biochemically characterize purified alternative RPA complex
Role: PI

Service, Outreach, and Professional Development

University

University Athletics Committee	Member: 2009-2013 Chair: 2011-2013
NDSU Advance FORWARD	Ally: 2011-Present
Governor's School	Mentor: 2009, 2011-Present
Ronald E. McNair Scholars Program	Mentor: 2009-2011
CoBRE Summer Undergraduate Research	Mentor: 2009-2011
NSF Research Experience for Undergraduates	Mentor: 2012-Present
NDSU Advance FORWARD Faculty Search Committee Training	Participant: 2012
STEM Education Building Planning/Organization	Contributor: 2013-2014
NDSU Research Council	Member: 2015-Present
NDSU Faculty Senate	Senator: 2015-Present

Departmental

Curriculum and Assessment Committee (CAC)	2015-Present
Graduate Student Progress Committee (GSPC)	2009-Present
Common Methods of Biochemistry and Molecular Biology Research – Annual Seminar for First Year Graduate Students (CHEM 720)	2012-Present
Biochemistry Curriculum and Examination Committee	2009-2015
Strategic Planning Committee	2012-2013
Biochemistry Faculty Search Committee	2012-2013

Graduate Student Committees

Graduated

Steve Wanjara	2012-Present	Institution: North Dakota State University (Fargo, ND) Degree: Biochemistry and Molecular Biology – Ph.D.
Padmaja L. Ghospurkar	2008-2015	Institution: North Dakota State University (Fargo, ND) Degree: Biochemistry and Molecular Biology – Ph.D.
Jena Peine	2013-2015	Institution: North Dakota State University (Fargo, ND) Degree: Animal Sciences – M.S.
Heather E. Bergan	2011-2014	Institution: North Dakota State University (Fargo, ND) Degree: Zoology – Ph.D. Program
Ruchi (Khanna) Gupta	2010-2014	Institution: North Dakota State University (Fargo, ND) Degree: Biochemistry and Molecular Biology – M.S.
Gunjan Piya	2010-2013	Institution: North Dakota State University (Fargo, ND) Degree: Biochemistry and Molecular Biology – M.S.

Elizabeth Ellens	2010-2012	Institution: North Dakota State University (Fargo, ND) Degree: Zoology – M.S.
Juan Rodriguez La Torre	2009-2012	Institution: North Dakota State University (Fargo, ND) Degree: Plant Pathology – Ph.D.
Megan F. Palmer	2008-2011	Institution: North Dakota State University (Fargo, ND) Degree: Biochemistry and Molecular Biology – M.S.

Current

Timothy M. Wilson	2012-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program
Andrew Scott	2014-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program
Jessie Arneson	2013-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program
Karen Preskey	2013-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – M.S. Program
Angela M. Adsero	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Cellular and Molecular Biology – Ph.D. Program
Trevor A. Baumgartner	2015-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program

Past

Erica N. Mueller	2012-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program
Kaitlin M. Dailey	2013-Present	Institution: North Dakota State University (Fargo, ND) Program: Biochemistry and Molecular Biology – Ph.D. Program
Hilary Hafner	2011-2013	Institution: North Dakota State University (Fargo, ND) Program: Veterinary and Microbiological Sciences – M.S. Degree
Delci Christensen	2011	Institution: North Dakota State University (Fargo, ND) Program: Zoology – M.S. Program
Jeffrey Hunt	2009-2010	Institution: North Dakota State University (Fargo, ND) Program: Zoology – M.S. Program

Outreach

Tri-Beta (Concordia College – Moorhead, MN) – External Graduate School Advisor	2010-Present
Annual ASBMB and ACS Undergraduate Research in the Molecular Sciences (URMS) Meeting – Presentation Judge	2009, 2011
Annual ASBMB and ACS Undergraduate Research in the Molecular Sciences (URMS) Meeting – Co-Organizer	2011
NDSU College of Science and Mathematics: Science Café (Fargo, ND) – Presenter	2011
Southeast Regional Science and Engineering Fair (Fargo, ND) – Judge	2012
National Science Foundation Molecular and Cellular Biology Grants - Reviewer	2013-2014
North Dakota Academy of Sciences – President	2014-2016
North Dakota Academy of Sciences – Secretary	2016-Present
NDSU TRIO Symposium – Poster Judge	2014
NDSU Center for Protease Research (CPR) Frontiers in Biomedical Research Symposium (Fargo, ND) – Co-Organizer	2013-2014
National Science Foundation (NSF) Molecular and Cellular Biology (MCB) - Panelist	2015
National Science Center (NCN; Poland) – Reviewer	2015
ND EPSCoR NSF/NIH Workshop – Panelist as an NSF CAREER awardee	2015

Professional Development (Excluding Scientific Meetings)

Peer Evaluation of Teaching (NDSU – Fargo, ND) – Formative Assessment	2009
Faculty Mentoring Program (NDSU – Fargo, ND)	2008-2009
Grant Writing Seminars – Sponsored by the Center for Protease Research (NDSU – Fargo, ND)	2008-2009
Pedagogical Luncheons (NDSU – Fargo, ND)	2008-Present
"Dig-In": Using Technology in Instruction – Sponsored by Instructional Services (NDSU – Fargo, ND)	2012
Writing and Reviewing Manuscripts Workshop – Sponsored by NDSU CPR (Fargo, ND)	2014
Responding Effectively to Critiques Workshop – Sponsored by NDSU CPR (Fargo, ND)	2014

Professional Memberships

American Heart Association (AHA)

American Society for Biochemistry and Molecular Biology (ASBMB)

Genetics Society of America (GSA)

American Society for Microbiology (ASM)

North Dakota Academy of Science (NDAS)

CURRICULUM VITAE
D. Carlton (Carlos) Hawley Jr.

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Department of Modern Languages #2345
334M Minard Hall
PO Box 6050
North Dakota State University
Fargo, North Dakota 58108-6050
(701) 231-8848

Education

1974-1981 B.A. — Spanish, University of Northern Iowa, Cedar Falls Iowa

1981-1983 M.A.— Spanish, University of Northern Iowa, Cedar Falls, Iowa

1985-1999 Ph.D. — Spanish, University of Iowa, Iowa City, Iowa

Teaching Experience

2005 - Date Associate Professor, Spanish Language and Literature, North Dakota State University

1998 - 2005 Assistant Professor, Spanish Language and Literature, North Dakota State University

1997 - 1998 Instructor, Spanish Language and Literature, North Dakota State University

1996 - 1997 Lecturer, Spanish Language and Literature, North Dakota State University

1994 - 1996 Teaching Assistant, Third and Fourth Year Spanish, University of Iowa

1988 - 1993 Instructor, First and Second Year Spanish and Spanish Civilization, Iowa State University

1987 - 1988 Instructor, Spanish I, II and III, Winona State University

1985 - 1987 Teaching Assistant, First and Second Year Spanish, University of Iowa

1983 - 1985 Half-time Professor, Translation, Interpretation and Introduction to Literature, Universidad Pontífice del Ecuador

1983 - 1985 Instructor of English as a Second Language, Colegio Americano de Quito

1982 - 1983 Teaching Assistant, First and Second Semester Spanish, University of Northern Iowa

Publications

Book Review: *The Poetics of Piracy: Emulating Spain in English Literature*. Published in *Studies in Medieval and Renaissance Teaching* (SMART), 2016

Coeditor, with Edward Risden, of Volume Fourteen, ***Enarratio***, the scholarly journal of the Medieval Association of the Midwest (MAM).

Enarratio/Publications of the Medieval Association of the Midwest: "Progress and Prejudice: Misarchaia, Scholarship and the Pre-Modern Text."

"Scholarship and the Classroom: Navigating the Gulf." Published in the Spring 2004 issue of *Studies in Medieval and Renaissance Teaching (SMART).*

"La cultura del Arcipreste: prácticas materiales", Published in *Juan Ruiz, arcipreste de Hita, y el "Libro de buen amor"*, Ayuntamiento de Alcalá la Real, Centro para la Edición de los clásicos españoles, Alcalá la Real, MMIV.

Papers and Presentations

"Juan Ruiz, Archpriest of Hita and the Fall of the *Cuaderna Vía. Presented at the Medieval Association of the Midwest (MAM) 31st Annual Conference held at Hill Museum and Manuscript Library in Collegeville, Minnesota, from October 8th through 10th.*

"Clandestine Conceptions and Perplexing Parturitions Between Amadís de Gaula and Don Quijote de la Mancha" Presented at the Medieval Association of the Midwest (MAM) 30th Annual Conference held at Saint Louis University-Madrid, held January 23rd, 24th, and 25th, 2015 in Madrid, Spain.

"Could the *Cuaderna Vía* Ever Be Dead Enough?" *Presented at The Cleric's Craft: Crossroads of Medieval Spanish Literature and Modern Critique Conference held at the University of Texas at El Paso, held October 22nd, 23rd, and 24th, 2015 in El Paso, Texas.*

«*Don Quijote* and Cervantes: 400 Years of Fascination», Presented at the Foreign Language Association of the Red River (FLARR) 2015 Conference held March 7th of 2015 on the campus of The University of North Dakota in Grand Forks, North Dakota.

«Clandestine Conceptions and Perplexing Parturitions between *Amadís de Gaula* and *Don Quijote de la Mancha*», Presented at the Medieval Association of the Midwest (MAM) 30th Annual Conference held January 23, 24th, and 25th of 2015 on the campus of Saint Louis University-Madrid, Madrid, Spain.

«Whatever Happened to the Cuaderna Vía?» Presented at the 40th Annual Meeting of the Foreign Language Association of the Red River (FLARR) on the 12th of October 2013, on the campus of Minnesota State University, Moorhead, in Moorhead, Minnesota.

«The Culture of the *Cuaderna Via*» Presented at the Medieval Association of the Midwest (MAM) 29th Annual Conference held September 26, 27th, 28th, and 29th of 2013 on the campus of Indiana State University, Terre Haute, Indiana.

Medievalists' Longest year: The Theft of the ***Codex Calixtinus***, Presented at the Medieval Association of the Midwest (MAM) 28th annual conference held September 27th and 29th, 2012 on the campus of Xavier University in Cincinnati, Ohio.

The-Beat-Goes-On or a Different Drummer: The LBA Corollaries, presented at the 2012, 47th Annual International Congress on Medieval Studies (May 10-13) and organized by The Medieval Institute of the College of Arts and Sciences of Western Michigan University and held at Western Michigan University, Kalamazoo, Michigan.

"God, Allah, Christians, Muslims, and the Munchies" at the Medieval Association of the Midwest (MAM) 27th annual conference held September 29th and October 1st, on the campus of Saint Norbert College.

Presented and participated in "Paying Forward, Looking Back: Fostering Medieval Studies in the Twenty-First Century: In honor of Cynthia Valk (A Roundtable)," at the 2010, 45th Annual International Congress on Medieval Studies (May 13-16) organized by The Medieval Institute of the College of Arts and Sciences of Western Michigan University and held at Western Michigan University, Kalamazoo, Michigan, 13-16/V/2010.

"A Flurry of Fables in the *Libro de buen amor*: Girls Night Out" at the 2010 Annual Conference of the Medieval Association of the Midwest, held on the 16th and 17th days of September on the campus of the University of Iowa in Iowa City, Iowa, 16-17/IX/2010.

"A very Christian Pet: The Mastiff of the *Libro de buen amor*," presented at the 2009, 44th Annual International Congress on Medieval Studies (May 7-10) organized by The Medieval Institute of the College of Arts and Sciences of Western Michigan University and held at Western Michigan University, Kalamazoo, Michigan, 7-10/V/2009

"Public and Private Justice: Penalties Assessed in the Romance de Barnal Francés," presented at the 2008 Midwest Modern Language Association's 50th Annual M/MLA Convention held at The Minneapolis Marriott City Centre, Minneapolis, Minnesota, 13-16/XI/2008.

"My Way or the Highway: Juan Ruiz on the Road Without a Guide", Presented at the 47th Annual Convention of the Midwest Modern Language Association (M/MLA) held at the Pfister Hotel in Milwaukee, Wisconsin, 10-13/XI/2005.

"Juan Ruiz, Archpriest of Hita on the Road Without a Guide", Presented at the Medieval Association of the Midwest 20th Annual Conference on the campus of University of Illinois, Springfield, Springfield, IL, 23-24/IX/2005.

"Complexity, Simplicity and Complicity in the *Libro de buen amor*", presented at the 40th International Congress on Medieval Studies, on the campus of Western Michigan University, Kalamazoo, MI, 5-8/V/2005.

"Complexity in the Fourteenth Century Psudo-autobiography: Juan Ruiz and His Audience." Presented at the Medieval Association of the Midwest 20th Annual Conference on the campus of Northern Michigan University, Marquette, MI, 24-25/IX/2004.

"Complexity and the Fables in the *Libro de buen amor*", presented at the 39th International Congress on Medieval Studies, on the campus of Western Michigan University, Kalamazoo, MI, 6-9/V/2004.

Complexity and the ***Libro de buen amor***. Presented at the Medieval Association of the Midwest 19th Annual Conference on the campus of the University of Indianapolis in Indianapolis, IN, 10-11/X/2003.

Ethnicity and the ***Poema de mío Çid****: Premodern and Postmodern Polemic*. Presented at The Medieval Association of the Midwest 18th Annual Conference on the campus of Saint Norbert College in De Pere, WI, 27-28/IX/2002.

Progress and Prejudice: Misarchaia in Scholarship of the Golden and Middle Ages. Carolina Conference on Romance Literatures March 21-23, 2002,Chapel Hill, North Carolina.

La cultura del arcipreste: prácticas materiales. Presented at the Congreso Internacional Sobre el Arcipreste de Hita y el ***Libro de buen amor***, held 9-11/V/2002 in the Ayuntamiento de Alcalá la Real, Spain.

El papel de la traducción en la enseñanza del inglés. Presented in Cáceres, Spain, February 2nd , 2001, for the X Jornada de Metodología de la Enseñanza de una Lengua Extranjera of the Cátedra de Filología Inglesa of the Universidad de Cáceres.

Niveles de texto: del texto dinámico al texto abúlico en ***Don Quijote***. Presented in Cádiz, Spain, January 2001, for the Universidad de Cádiz, Facultad de Filosofía y Letras.

Entre el fragmento y el texto abúlico: acercamientos a textos canónicos. Presented at the Universidad de Granada, Spain on January 25th, 2001, for the Departamento de Filología y Letras Hispánicas.

Niveles de texto: del texto dinámico al texto abúlico en ***Don Quijote***. Presented in Almería, Spain, 23, January , 2001, for the Departamento de Filología Española y Latina de la Universidad de Almería.

Niveles de texto: del texto dinámico al texto abúlico en ***Don Quijote***. Presented in Alcañiz, Spain, January 16-20, 2001, for the *Curso interdisciplinar de humanidades: del mundo antiguo a las puertas del tercer milenio, II.*

Poetry and the Hierarchies of Power: The Romances of don Álvaro de Luna. Presented at the Medieval Association of the Midwest (MAM) 17th Annual Conference on the campus of The University of Wisconsin in Madison, WI, September 28-29, 2001.

The Abulic Text in the ***Libro de buen amor****: Part II*. Presented at the 36th International Congress on Medieval Studies on the campus of Western Michigan University on 3-6/V/2001.

The Abulic Text in the ***Libro de buen amor****: Part I*. Presented at The Medieval Association of the Midwest (MAM) 16th Annual Conference, held 6-7/X/2000 at The College of Saint Scholastica in Duluth, MN.

Levels of the Text: From the Dynamic to the Abulic in Cervantes' Don Quijote. Presented at the Red River Conference on World Literature, 2nd Annual, North Dakota State University, Department of English, Fargo ND in April of 2000.

Los toros en la lírica de Federico García Lorca y Rafael Alberti. Dissertation for PhD. at the University of Iowa, 1999.

The Spanish Bullfight. Presented to The Ottumwa Area Arts Council: *¡Hola España!*, Ottumwa, Iowa. April, 1993.

«Darío, el expatriado». Presented and later published in *Ponencias* de Cien años de *Azul.* Congreso internacional para celebrar el centenario de la publicación de *Azul* de Rubén Darío. University of Northern Iowa, Cedar Falls, Iowa. November 1988.

Pedagogy:

—For the development of the Faculty Led Study Abroad Civilization Course on the Camino de Santiago (SPAN 379), I trekked the Camino de Santiago (Way of Saint James) from Saint Jean Pied de Port to Santiago de Compostela. During the pilgrimage, I met with scholars and administrators at the University of Burgos. Together we have added the course to the NDSU Summer curriculum for 2014.

Works in progress:

— *Complexity, Chaos and Culture in the* ***Libro de buen amor***
— *Plagiarizing Mandelbrot: The Exact Science of Cultural Poetics*.

Service

University

—Wrote Spanish Language Component to Web Course in conjunction with NDSU College of Engineering (The course has been online since the Spring 2001 Semester).
—Represented the College of Arts, Humanities and Social Sciences on the Committee for Technology Enhanced Learning.
—Represented and chaired the College of Arts, Humanities and Social Sciences on the Academic Affairs Committee.
—Represented the College of Arts, Humanities and Social Sciences in the University Senate.

College of Arts, Humanities and Social Sciences

—Served on the Technology Enhanced Learning committee.
—Served on Policy and Planning and Governance Committee.
—Served on Student Progress Committee.
—Served on Curriculum Committee

Department of Modern Languages

—Red River Conference of World Literature Committee.
—NDSU library consultant for Spanish language texts for the Department of Modern Languages.
—Department of Modern Languages Search Committee

Professional Outreach

—Translation/Interpretation for the Cass County District Court.
—Translation/Interpretation for the Federal Public Defender's Office, Fargo, ND
—Translation/Interpretation for *Global Electric MororCars, L.L.C.*
—Translation/Interpretation for *CoffeeHouseTranslations*

Professional Organizations

—MAM: Medieval Association of the Midwest (President 2014 to present)
—MLA: Modern Language Association
—MMLA: Midwest Modern Language Association

ROBERT V. PIERI

Professor, Department of Mechanical Engineering
Rm. 210 Dolve Hall
North Dakota State University
Fargo, North Dakota, 58105

Phone: 701-231-8673
Fax: 701-231-8913
E-mail: Robert.Pieri@ndsu.edu

Education:

Ph.D.:	CARNEGIE-MELLON UNIVERSITY, Pittsburgh, PA	1987
M.E.:	Thayer School of Engineering, DARTMOUTH COLLEGE, Hanover, NH	1973
B.S.M.E.:	UNIVERSITY OF MASSACHUSETTS - AMHERST, Amherst, MA	1971

Professional Experience:

6/02 - Present	**Professor**, Department of Mechanical Engineering and Applied Mechanics, North Dakota State University, NDSU
6/13 – Present	**Chair**, Committee on First Year Engineering Experience, College Of Engineering, NDSU
11/08 – 11/11	**Coordinator Tribally Controlled College/ NDSU Partnerships,** Divisions of Equity, Diversity, and Global Outreach & Extension Service, North Dakota State University
8/03 – 5/04	**Visiting Professor**, Turtle Mountain Community College, Turtle Mountain Chippewa Reservation, Belcourt, ND
8/96 – 6/02	**Chairman and Professor**, Department of Mechanical Engineering and Applied Mechanics, North Dakota State University
2/96 – 8/96	**Senior Mechanical Engineer**, Allied Signal Technical Services Corp., Colorado Springs, CO
12/94 – 7/95	**Senior Design Engineer**, AMI Industries Inc. Colorado Springs, CO
6/94 –12/94	**Professor of Engineering Mechanics,** *Deputy for Curriculum,* Department of Engineering Mechanics, joint with **Visiting Fellow**, Center for Educational Excellence, United States Air Force Academy (USAFA)
6/91 – 6/94	**Tenure Associate Professor,** *Deputy for Curriculum,* Department of Engineering Mechanics, USAFA
7/87	**Registered Professional Engineer**, CO
1/87 – 6/91	**Associate Professor,** *Chief Materials Division,* Department of Engineering Mechanics, USAFA, 1987
6/81 – 8/83	**Instructor of Engineering Mechanics,** Department of Engineering Mechanics, USAFA.
1/79 – 6/81	**Commander, Detachment 1**, US Air Force Geophysics Laboratory, Holloman AFB, NM.
9/73 – 1/79	**Mechanical Engineer,** Stratospheric Composition Program, AF Geophysics Laboratory, Hanscom AFB, MA.

Selected Publications and Presentations:

Pieri, R. V., & Legg, T. D., & Vallie, A. M., & Alfson, L., & Mattes, J. J., & Parker, M. M., & Padmanabhan , G. (2015, June), *Pre-Engineering Education Collaborative at Four: Approaching the Final Phases* Paper presented at 2015 ASEE Annual Conference and Exposition, Seattle, Washington. 10.18260/p.24578

"From Continuum-based to Multiscale-based Engineering Mechanics Education", G. Karami and R. Pieri, The International Journal of Engineering Education, Vol 23 Num3, 2007, pg 582-590

"Experience with and Lessons Learned in a Stem Summer Camp for Tribal Students", Lin W., Padmanabhan G., Robert Pieri, Patterson F. paper: AC2007-1867, Proceeding of 2007 Annual Conference of the American Society for Engineering Education, Honolulu, HI, June 24-27, 2007

Synergistic Activities, Honors and Grants:

Author & NDSU PI on $4.8M five year NSF sponsored collaborative grant entitled "PEEC: 2+2+2+∞: Pipeline for Tribal Pre-Engineering to Society (PTiPS)" which seeks to establish a collaboration of tribal colleges and mainstream universities to produce an educational pipeline for students from the state's Native American population to become interested with and receive the education for a career in engineering.

Co-PI DoEnergy Wind to Hydrogen project, sponsored through Basin Electric Power Cooperative titled "H2Tractor", ~$25K, which explores dual fuel (hydrogen gas & diesel fuel) used to power a medium size field tractor. The focus is domestic use of wind-power-generated hydrogen to reduce dependence on off-shore oil and reduction of emissions.

Senior Personnel, DoED FIPSE sponsored US – Brazil Exchange program with Michigan Tech University for ~$200K. The project focuses on the preparation of engineering students to cope with the international energy considerations now and in the future. This program pays particular attention to energy and environmental and sustainability issues.

Co-PI NSF CCLI grant titled "Transition from Continuum-based Mechanics to Multiscale Mechanics in Engineering Education" for $125,000 to incorporate introductions to nanotechnology into basic courses in mechanics and mechanics of materials.

PI of one-year NSF Bridges to Engineering Education grant for $99,999 to develop a program that: 1)increase the numbers of students from tribal high schools and community colleges that select engineering majors and 2) improve the pedagogy of Engineering professors and the science preparation of students in the School of Education.

PI on four-year FIPSE grant for $209,999 within the Dept. of Education Program for North American Mobility in Higher Education, titled "Alliance for North American Mobility in Engineering, (ANAME)". Project partners two USA universities with two each in Canada and Mexico to prepare engineers to impact North American Free Trade.

Co-PI on ONR sponsored three-year grant ($550,000 with options on two more years & $700,000) to Native American Community Colleges to attract students to sciences and engineering careers. Title: "An Adaptive Systemic Initiative of Tribal Collaboration for Increasing Native American Participation in Mathematics, Science and Engineering"

Teaching Interest & Experience:

STEM preparations of students in K-12 particularly for Native American and rural students. Optimization of educational experience at college level by integration of best industrial practices, design, and educational pedagogy into the classroom effectively utilizing available teaching tools and media. Taught courses on: materials (selection, treatment & testing), strength of materials, statics, dynamics, failure analysis, design, internal combustion engines, mechanisms, computers and instrumentation.

Thesis Advisor / Committee & Outreach: NDSU Department of Mechanical Engineering, MS thesis Advisor: Jacob Hanson, Lee Kersting, Kirk Bottelberghe, Tyler Stousland, Austin Decker & Leslie Flemming, Committee Member: Matt Kasper, Aaron Joneson, Adriana Brasoava, Mitchel Osborn & Andrew Thoreson

Visiting Scholar Sponsor: Dr. P. K. Bose, Director National Institute of Technology Agartala, Tripura and National Institute of Technology Silchar, Assam, Dr. Soupayan Mitra, Jalpaiguri Government Engineering College, West Bengal, India

Policy Change Cover Sheet

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

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

SECTION: 190 Employee Responsibility and Activities: Intellectual Property

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change: Amendment to Section 190, item 6.2, to:
     - ensure Master's papers are included with dissertations and theses
     - include clear language relating to NDSU publication rights for graduate student dissertations, theses, and Master's papers, and
     - include statement establishing graduate student responsibility for obeying copyright law.
   - Rationale: The previous version of the policy included NDSU publication rights in a clear way. This was removed in the revision, but is essential for including theses, papers, and dissertations in the Institutional Repository. The proposed revision also clarifies that it is students' responsibility to obtain appropriate permission from the copyright owner if the document contains material for which the student does not hold copyright. This is necessary for NDSU's legal protection.
2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted
     - College of Graduate and Interdisciplinary Studies, March 16, 2016
   - Email address of the person who should be contacted with revisions
     - Brandy.randall@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 190
EMPLOYEE RESPONSIBILITY AND ACTIVITIES: INTELLECTUAL PROPERTY

SOURCE: SBHE Policy Manual, Section 611.2

1. General Principles.

1.1. The North Dakota State Board of Higher Education ("Board") encourages and promotes research and scholarship based upon the traditional principles of the academic profession. Some creative endeavors, discoveries, advancements, and innovative approaches have the potential to be utilized outside of the North Dakota University System ("System"). Through this Intellectual Property Policy, the Board seeks to execute a synergistic model of education, research, outreach, service, and economic development to accomplish a greater good.

1.2. This Policy establishes guidelines to support faculty, staff, and students in identifying, protecting, and administering intellectual property ("IP"), and defines the rights and responsibilities of all involved. Each Institution shall adopt procedures implementing this Policy, a process for resolving disputes, and a process for informing faculty, staff, and students of their respective rights and responsibilities related to IP. Each Institution may adopt a separate statement of IP policies, provided that such statement does not conflict with this Policy.

1.3. The primary purposes of this Policy are to:

- Provide clear guidance for all involved in the creation, development, management, protection, and dissemination of discoveries and IP within the System and its Institutions.
- Provide for an effective and efficient process to achieve positive outcomes for creators, the System and its Institutions.
- Effectively manage all interests that may emerge in relation to discoveries that have commercial value or other desirable outcomes and provide guidance as to which of these interests or outcomes has priority.
- Place creative output into practical use for public benefit as quickly and as effectively as possible, and in a manner consistent with applicable laws and public policy.
- Facilitate the creation of appropriate public-private partnerships to support economic development.
- Encourage a broad array of mutually beneficial relationships with organizations outside of the System and its Institutions to enhance creative output, including collaborative research, licensing of IP, and the formation of companies specifically for the purpose of commercializing newly created IP.
- It is the expectation of the Board that all persons involved in the creation, development, management, protection, and dissemination of IP shall conduct themselves in accordance with the Core Values espoused in SBHE Policy 100.5 (II).

2. Definitions.

2.1. *"Breeder(s)" or "Plant Breeder(s)" as defined by the PVPA, 7 U.S.C. § 2401(a)(2). In regards to plant variety protection, a "Breeder" is the person(s) who directs the final breeding creating a variety and/or the person(s) who discovers and develops the variety. 7 U.S.C. § 2401 (a)(2).*

- *In regards to plant variety protection, "discover" means finding a natural plant which results in breeding a variety, or finding a new variety by performing experiments on results of cross-breeding and realizing that the resulting plant is different and closer in characteristics to a desired variety.*

- *In regards to plant variety protection, "develop" means to make additional selections for (a) cross-breeding and/or (b) developing pure lines. This may lead to the variety for which protection is sought or may eliminate variance and convert a non-uniform variety to a uniform variety using the desired characteristics.*

2.2. "Creator": A person who contributes in a significant manner to the development of IP on behalf of the System or one of its Institutions including “Breeder(s)” or “Plant Breeder(s)”.

2.3. "Institution": One of the individual colleges or universities of the North Dakota University System.

2.4. "Intellectual Property" or “IP”: Collectively, any form of property created by the mind including, but not limited to, Inventions, trade secrets, copyrights, trademarks, mask works, and any other tangible research result such as biological materials, engineering drawings, integrated circuit chips, computer databases, prototype devices, circuit diagrams, and equipment.

2.5. "Invention": A process, method, discovery, device, plant, composition of matter, know-how, or other discovery that reasonably appears to qualify for protection under United States patent law, whether or not actually patentable (including, but not limited to, utility patents, plant patents, design patents, certificates of Plant Variety Protection). This includes patent-eligible software that may also be copyrightable.

2.6. "Net Royalties": Gross revenues, including all royalties, licensing, and other fees generated as a direct result of IP, less the actual, out-of-pocket expenses incurred in procuring and maintaining protection, marketing (at the discretion of the System or one of its Institutions), licensing and enforcing rights in such IP.

2.7. "Significant Use of Resources": A Creator’s use of System or institutional facilities, equipment and/or employees’ time that appreciably increases the costs of the System or Institution beyond those normally incurred. Significant Use does not include the Creator’s own time (including developmental leave) or the normal use of facilities or equipment commonly available to faculty, staff, *students*, or the public, such as libraries, Internet access, office space, office equipment, computers, and/or office supplies.

3. General Patent *(IP)* Policy.

3.1. The Board strongly encourages the pursuit of formal protection and/or efforts to commercialize all IP as a method of bringing recognition and remuneration to Creators, the System, and Institutions.

3.2. Except as otherwise provided herein, and subject to restrictions arising from overriding obligations and/or institutional policies, Institutions shall have and hold title to all IP that is the result of any work, research, or investigation conducted by institutional employees in the course and scope of their employment. Upon employment and as otherwise necessary, all employees of an Institution shall be required to execute an appropriate written assignment of IP to the Institution. *Temporary*

employees may be required to sign as well based on supervisor discretion. A failure to have the Agreement signed in no way changes or lessens the applicability of this Policy. For purposes of this Policy, Creators employed by the System shall be deemed employees of (i) the Institution most closely connected to the development of specific IP in terms of facilities or resources utilized or, if none, (ii) the Institution to which the specific IP is first disclosed by at least one Creator or, if none, (iii) the Institution selected by the Chancellor or designee upon disclosure of specific IP to the System.

3.3. Each Institution's procedures shall act as a guide for determining, clarifying, and/or preserving ownership of IP, shall provide for the disclosure, review, and evaluation of IP, and shall at a minimum require:

- The Creator's timely, written disclosure of IP.
- The Creator's provision of all necessary declarations, assignments, or other documents as may be necessary.
- The Institution's review of the technical and/or commercial viability and, in the case of Inventions, patentability, of IP within a reasonable period of time.

3.4. If at any time an Institution decides not to pursue, or otherwise to discontinue its protection and commercialization of any IP, the Institution shall notify the Creator(s). In the absence of overriding obligations the Institution shall upon request of at least one Creator release its rights in such IP to the original assignor(s), subject to an obligation to reimburse the Institution for its actual out of pocket costs in the event of a commercial windfall. However, under no circumstance may the Creator(s) to whom rights are released use the name of the System or an Institution in connection with subsequent development, use, or marketing of the IP. Creators may request that IP rights be released, even in the absence of a prior decision by the Institution to discontinue protection. Institutions shall have the discretion to grant such a request provided that the Institution may require, as a condition of the release of IP rights, that the Creator(s) reimburse the Institution for its actual, out-of-pocket costs incurred in pursuing formal protection of the IP.

3.5. Subject to any overriding obligations, Creators, or the Creators' heirs, successors, or assigns, shall be entitled to a minimum of forty (40) percent of the Net Royalties received by the Institution in connection with the Creators' IP. Each Institution's procedures should allocate remaining Net Royalties to be utilized principally in support of research.

3.6. When there are two or more Creators, each Creator shall share equally in the Creator's share of Net Royalties unless all have agreed in writing to a different distribution of such share. The Institution will honor any agreement purporting to share rights and/or royalties between participating parties to the fullest extent permitted under any applicable law. In cases of joint development where Creators are employed at two or more institutions, the Institutions shall enter into an inter-institutional agreement.

4. General Copyright Policy

4.1. Each Institution's IP procedures shall provide for the disclosure, review, and evaluation of original works of authorship, and for the protection and commercialization of works in which copyright is owned by the Institution under this Policy. Copyrightable works that are also patent-eligible Inventions, such as software, shall be governed by the General IP Policy set forth in section 3.

4.2. An Institution shall own copyright in works prepared by its employees at the specific direction of the Institution.

4.3. An employee shall report such work in accordance with the General IP Policy set forth in section 3.

4.4. Net Royalties received by an Institution as a result of copyright ownership will be disbursed in accordance with the General IP Policy set forth in section 3.

4.5. Institution employees shall be entitled to own copyright in works that are prepared within the scope of employment but not at the specific direction of the Institution.

4.6. An Institution shall relinquish copyright ownership in any work that arises by operation of law and, if necessary, shall execute assignments conveying such copyright ownership to employees. As a condition of any such relinquishment or assignment, the Institution shall retain a perpetual, non-exclusive, worldwide and royalty-free license to use the work for teaching, educational, archival, and research purposes. This subsection shall not apply to companion works that enable, or are incidental to or necessary for the practice of, an Invention owned by the Institution under this Policy.

4.7. In the event an employee has made a Significant Use of Resources in the creation of a work governed by this subsection, an Institution may require the employee to reimburse the Institution for the value of such use.

4.8. Institution employees shall not use any work governed by this subsection, including textbooks and other course materials, either printed or electronic, in any manner that competes in a substantial way with the for-credit offerings of the Institution employer unless such use has received the approval of the chief academic officer of the Institution.

5. Trademark. Each Institution's IP procedures shall provide for the identification and protection of the trademarks and service marks of the Institution, provided that commercialization and licensing activities may be delegated by contract to one or more third parties.

6. Student IP.

6.1. An Institution may not require an assignment of IP rights from a student unless at least one of the following applies:

- The student received financial support from the Institution in the form of wages, salary, stipend, or grant funds for the research and/or activities that led to the development of the IP.
- The Institution is contractually obligated to require such assignment.
- The IP was developed with the Significant Use of Resources and the retention of such rights by the student would substantially impair a mission of the Institution.
- The IP was a companion work that enabled, or was incidental to or necessary for the practice of an Invention owned by the Institution under this Policy.
- The student expressly agreed to make such assignment.
- The IP comprises marks and/or logos used or intended to be used solely or primarily by the Institution in conjunction with the Institution's offering of goods or services, including but not limited to the Institution's department of athletics.

6.2. An Institution may not require a license in IP from a student unless at least one of the following applies.

- The IP comprises copyright in a thesis, ~~or~~ dissertation, or Master's paper. Upon enrollment at North Dakota State University, a graduate student hereby grants a royalty-free perpetual license to the Institution for the reproduction and public distribution, including by electronic means, of copies of the student's thesis, paper, or dissertation. A student may request that such publication be delayed/embargoed for a period of time upon approval by the Graduate Dean. If the thesis, paper, or dissertation contains material for which the student does not hold copyright, it is the students' responsibility, prior to the submission of the document to the College of Graduate and Interdisciplinary Studies as a condition to a degree award, to have obtained the unrestricted permission of the copyright owner to grant the Institution the rights required by this license, and to clearly identify and acknowledge such third-party owned material within the text or content of the document.

- The IP arose from a multi-semester classroom project administered by an Institution employee, such as a senior design project, and the license is necessary for the Institution to continue administering the project.

- In the absence of such license, a mission of the Institution would be substantially impaired.

- The student has expressly agreed to grant such license.

6.3. In the event an assignment required by this section is made, the student making such assignment shall be treated as a Creator and shall be entitled to all of the rights and benefits of Creators under this Policy.

6.4. Licenses required by this section shall be non-exclusive, non-commercial, perpetual, and royalty-free, unless otherwise agreed to by the Institution so licensed.

6.5. Nothing in this section shall be construed to prevent a student from voluntarily entering into a relationship with an Institution concerning IP.

7. Other Provisions.

7.1. Foundations. An Institution may assign or transfer ownership rights in IP to a foundation defined in Board policy. Such assignment or transfer shall be in writing and signed by the president of the Institution or his or her designee. Institutions may require, as a condition of such assignment, periodic reporting as to the administration, marketing and commercialization of IP assigned pursuant to this subsection.

7.2. Employee Consulting/Developmental Leave. It is the responsibility of Institution employees to ensure that the terms of their consulting agreements with third-parties or the conditions of developmental leave do not conflict with this or any other Board or Institutional policy.

HISTORY:

New	May 2005 (New policy to reflect SBHE policy 611.2, incorporates NDSU policies 340, 341 and 342)
Amended	November 2010
Housekeeping	December 2010

Amended November 11, 2015

Policy Change Cover Sheet

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SECTION: Policy 352 – Promotion, Tenure and Evaluation

Section 5.2 COMPOSITION OF PTE COMMITTEES

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes ☒ No
   - Describe change:

     Requires that chairs of PTE committees undergo training prior to commencement of deliberations.

     Excludes from the PTE review and recommendation process faculty members and administrators who are being considered for promotion.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Office/Department/Name and the date submitted: ad hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 4-12-2016
   - Email address of the person who should be contacted with revisions: Alan.Denton@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 352
PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.

1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University, college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.

1.3 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

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

2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience.

2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off- campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

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

2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;

2.2.1.1.2 the continuous improvement of courses or instructional programs;

2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.

2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:

2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;

2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;

2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;

2.2.1.2.4 the dissemination of best practices in teaching;

2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

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

2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.

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

2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;

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

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

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

2.2.2.2.5 the receipt of awards or special recognition for research ;

2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

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

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

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

2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:

2.2.3.2.1 the receipt of awards or special recognition for service;

2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;

2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

2.2.3.2.4. active participation and leadership in University governance and programs at the department, college, university and system levels;

2.2.3.2.5. effective management or improvement of administrative procedures or programs.

2.2.3.2.6 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;

2.2.3.2.7 contributions to the operation of state or federal agencies.

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

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

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

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

3.3. For probationary faculty, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit which were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan.

Tenured candidates for promotion to professor shall be evaluated by the criteria in effect at the time of application.

3.4. Faculty Hired Without Previous, Relevant Experience

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

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum (from one to three) years of tenure credit offered.

There are two options:

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

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

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

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

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

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

3.6.2 Extension of Probationary Period for Personal Illness or Disability

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

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.

3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form.

3.6.4.6 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

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

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

Related Policies and Procedures:

Policy 156. Equal Opportunity Grievance Procedures (http://www.ndsu.edu/fileadmin/policy/156.pdf)

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

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

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

4. PERIODIC REVIEW

4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.

4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.

4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.

4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.

4.5 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review period. For probationary faculty, the report shall include an assessment of the faculty

member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.

4.6 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.

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

5. COMPOSITION OF PTE COMMITTEES

5.1 Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.

5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Prior to commencement of deliberations, the chair of any PTE committee must have received PTE committee training within the last three years, provided through the Office of the Provost. Faculty members and administrators being considered for promotion may not ~~serve~~ be involved in any candidate review and recommendation process, including the selection of external reviewers, while under consideration.

5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic administrative appointment" includes appointments as President, Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and/or evaluate other faculty are eligible to serve.

5.4 A college PTE committee member who has voted on the promotion/tenure of a candidate in the department PTE committee shall be recused from the vote by the college PTE

committee. In such a case, college policy shall determine whether the committee member may or may not deliberate with the committee on the candidate.

5.5 Faculty members, including administrators, who participate in the PTE process shall be recused from deliberations and decisions regarding a candidate if there is a past or current relationship that compromises, or could have the appearance of compromising, a faculty member's judgment with regard to the candidate. The following list, while not exhaustive, illustrates the types of relationships that constitute a conflict of interest:

- A family relationship
- A marital, life partner or dating/romantic/intimate relationship
- An advising relationship (e.g., the faculty member having served as the candidate's PhD or postdoctoral advisor)
- A direct financial interest and/or relationship
- Any other relationship that would prevent a sound, unbiased decision

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

6. PTE PROCEDURES

6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee no later than November 1.

6.2 After November 1, the information that may be added to the portfolio is limited to
a) Recommendations by the evaluating units considering the portfolio at that time;
b) the candidate's response to those recommendations;
c) any materials requested by the evaluators.

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

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

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

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

6.5 Allegations of misconduct discovered after November 1 that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until

the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.

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

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

6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.

6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.

6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.

6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.

6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.

6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.

7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

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

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015
Amended	January 27, 2016
Amended	April 11, 2016

Policy Change Cover Sheet

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

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

SECTION: Policy 801 Grant and Contract Administration – General Provisions

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
   - Is this a federal or state mandate? ☐ Yes X☐ No
   - Describe change: Policy has been updated to provide clarification on changes for administration requirements of the proposal and award activities. Also, some activities have been shifted to the Research and Creative Activity Business Development unit, and those changes are included.

2. **This policy change was originated by (individual, office or committee/organization):**
   - Research and Creative Activity/Sponsored Programs
   - Val.kettner@ndsu.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University
Policy Manual

SECTION 801
GRANT AND CONTRACT ADMINISTRATION - GENERAL PROVISIONS

SOURCE: NDSU President

1. PROPOSALS.

1.1 All proposals submitted to external sponsoring agencies must be reviewed and approved by the responsible Department Head(s)/Chair(s), Center Director(s),~~the~~ College Dean(s), ~~-~~and Sponsored Programs Administration (SPA) (as a designee of the Vice President for Research and Creative Activity) PRIOR to the submission of the proposals to sponsoring agencies. Such approval is required even when an institutional signature is not required by the sponsor. A pre-proposal or letter-of-intent must be routed for review and approval if the signature of an authorized institutional official is required, or if a detailed budget or cost share is required or included.~~In cases where equipment match funds are required, the Vice President for Research and Creative Activity's (or designee's) approval is also required.~~

1.2 A Proposal Transmittal Form (PTF) is required for each proposal submitted for review. The PTF and instructions are located on the SPA website: http://www.ndsu.edu/research/sponsored_programs_admin/forms/. A completed PTF, proposal cover page, abstract, detailed budget on sponsor budget template (if available, or on SPA generic budget template if no sponsor template is required) and budget justification with complete detail as to why each item is necessary must be received in SPA at least 5 business days before the sponsoring agency submission deadline in order to guarantee timely review and approval or submission by SPA. Proposals must be received no later than 9:00 a.m. to count as the first day in the 5 business days. University published business hours will control the cut-off times for submission, not sponsor established times that exceed university hours..

~~1.~~

1.3~~1~~ The completed proposal and PTF must be routed~~submitted to~~ through all necessary parties ~~involved in~~responsible for any aspect of the proposal approval process. Necessary parties are determined based on each proposals' requirements (review, central equipment match, space, etc.) Each office may require modifications to a proposal before the routing can continue. Proposals must meet the criteria of each review stage in the process BEFORE submission to a sponsoring agency.~~.~~

1.3.1 The Head/Chair, Director and Dean are responsible for reviewing and approving the proposal for:

- consistency with the department, center and college mission;
- availability and commitment of department, center and college support services and resources, including faculty and staff committed effort~~time~~, space, ~~and~~ finances and equipment; ~~and~~
- assurance that the department, center and college obligations as defined in the proposal can and will be met; and~~.~~

- appropriate management and oversight, if necessary, of any conflicts of interest for their faculty participating in the proposed project.

1.3.2 S~~ponsored~~ P~~rograms~~ A~~dministration, as designated by the Vice President for Research and Creative Activity, acts on behalf of the President and~~ is responsible for reviewing and approving the proposal for:

- ~~reviews the proposal for~~ consistency with the institutional ~~mission and~~ policies,
- ~~-~~compliance with public or private agency policies and regulations, and
- compliance with applicable federal, state and local laws and regulations. ~~Each office may require modifications to the proposal. Proposals must meet the criteria of each review process BEFORE submission to a sponsoring agency.~~

1.3.3 The Vice President for Research and Creative Activity, or designee, is responsible for approving the use of and obligating central equipment match funds. Priority for use of these funds will be given to proposals that are interdisciplinary or that involve the acquisition of equipment for the enhancement of centralized research lab infrastructure. A request for equipment match funds must be made in writing to the Vice President for Research and Creative Activity at least three weeks prior to the due date of the proposal and after the appropriate approvals are received by the pertinent departments and colleges contributing remaining cash match. Requests for consideration can be made for up to 1/3 of the required cash match.

1.3.4 The Vice President for Finance and Administration must approve, prior to submission, any proposal requiring additional space, renovations, remodeling, and/or relocation of offices or labs. Any proposals requesting renovations or remodeling of space in the Research 1, Research 1A and/or Research 2 facilities, or relocation to those facilities, must also be approved by the Vice President for Research and Creative Activity.

1.3.5 The Vice President for Information Technology, or designee, must approve, prior to submission, any proposal affecting or requiring significant information technology services, as defined at http://www.ndsu.edu/it/research/prep/.

1.~~2~~ ~~A Proposal Transmittal Form is required for each proposal submitted for review. Proposal Transmittal Forms may be obtained from Sponsored Programs Administration.~~

1.4~~3~~ ~~Sponsored Programs Administration. requires a minimum of 72 hours to process a proposal. If time is a problem, the entire proposal need not be submitted. A completed Proposal Transmittal Form, the proposal cover page, an abstract, and the budget page may be sufficient for final approval.~~ Following final review by S~~ponsored~~ P~~rograms~~ A~~dministration (as a designee of the Vice President for Research and Creative Activity)~~, the principal investigator will be contacted~~called~~ and informed of university approval or of the need for revision(s). ~~Grant and contract proposals requiring additional space, renovations, remodeling, and/or relocations must be approved by the Vice President for Research and Creative Activity and the Vice President for Finance and Administration prior to submission.~~

2. AWARDS.

2.1 All contracts, grants and agreements must be reviewed by S~~ponsored~~ P~~rograms~~ A~~dministration~~ prior to their execution. Research and Creative Activity's Business Development unit is responsible for negotiating all terms of private industry awards, and S~~ponsored~~ P~~rograms~~ A~~dministration~~ is

responsible for negotiating all terms of ~~the~~all other agreements, including federal flow-through. Business Development and SPA are authorized signatories for NDSU.

~~2.~~ 2.2 Work may not take place and expenses may not be incurred on a pending award unless an advanced account number is requested and established. Advanced account numbers are issued only after department, center, or college assumption of responsibility, in writing, in the event an award is not successfully executed. SPA will not negotiate or sign an award where the award document is initiated after the work is already completed.

3. All correspondence between the Principal Investigator and the sponsoring agency Program Officer must be limited to technical questions. All correspondence ~~between the Principal Investigator and~~with the external sponsoring agency Contracting Officer~~,~~ that is unrelated~~ing~~ to the scientific/technical effort~~terms~~ of the award~~,~~ must be initiated by~~shall be copied to~~ S~~ponsored~~ P~~rograms~~ A~~dministration~~, or in the case of questions concerning allowable costs by Grant & Contract Accounting.,~~.~~ Any request to change award terms, including no-cost time extensions, budget modifications, or changes in scope of work, must be initiated by S~~ponsored~~ P~~rograms~~ A~~dministration is responsible for requesting approval from the awarding agency to change any agreement terms~~. For private industry awards, requests are initiated through SPA and then forwarded to Business Development by SPA for appropriate action(s).

4. ~~Sponsored Programs Administration~~ NDSU reserves the right to renegotiate, withdraw or reject any proposal or agreement that~~which~~ has not been reviewed and approved through the proper channels and signed by the appropriate authorized institutional representatives.

~~4.~~

5. All financial reports required by the external agencies will be prepared by Grant and Contract Accounting. The Principal Investigator will be contacted if assistance is needed in completing the reports.

6. All checks relating to sponsored agreements should be sent to:

Grant and Contract Accounting
North Dakota State University
NDSU Dept. 3130
PO Box 6050
Fargo, ND 58108-6050

If a check is mistakenly sent to a department instead of Grant and Contract Accounting, the check should be delivered as soon as possible to Grant and Contract Accounting for deposit. All information received with the check should be attached. The Customer Account Services Office will not deposit a check into a grant or contract account (Funds 40000-49999) without the approval of Grant and Contract Accounting.

HISTORY:

New	July 1990
Amended	April 1992
Amended	June 1996
Amended	March 2002
Amended	August 2007
Amended	October 2009
Housekeeping	February 14, 2011