



FACULTY SENATE  
EXECUTIVE COMMITTEE

### **Meeting Agenda**

September 9, 2024

- I. Call to Order.
- II. Adoption of the Agenda.
- III. Approval of Meeting Minutes from May 6, 2024.
- IV. Announcements.
  - 1. David Cook, President
  - 2. David Bertolini, Provost
  - 3. Lisa Montplaisir, Faculty Senate President
  - 4. Warren Christensen, Faculty Senate Past-President
  - 5. Christina Weber, Faculty Senate President-Elect
- V. Committee and Other Reports.
- VI. Consent Agenda.
  - 1. UCC Report (pending)
  - 2. Confirmation of Dr. Matt Smith as Faculty Senate Secretary
  - 3. Policy 133.1 Tuition Waiver – Spouse/Partner and Dependents
  - 4. Policy 153 Smoke-Free Facilities
  - 5. Policy 607 Admission & Re-Enrollment Safety Risks; Background Checks
  - 6. Policy 823 Financial Conflict of Interest – PHS, NSF, and Others
- VII. New Business.
  - 1. Policy 361 Emeritus/Emerita Titles
  - 2. Policy 322 Equitable and Transparent Faculty Workloads
  - 3. Revision of Faculty Senate Bylaws
- VIII. Adjournment.

**Meeting Agenda**

May 6, 2024

- I. Call to Order
  - Meeting called to order at 3:00pm
  - Substitutions
    - Jha for Magel
    - Liu for del Rio Mendoza
    - Baldwin for Mathew
- II. Adoption of the Agenda
  - MOTION to Approve (Smith/Gillam)
  - MOTION passed unanimously
- III. Approval of Meeting Minutes from April 15, 2024
  - Meeting minutes approved unanimously
- IV. Announcements.
  1. David Cook, President
    - Not present, no announcements
  2. David Bertolini, Provost
    - Thanks to FS President Christensen
  3. Warren Christensen, Faculty Senate President
    - Thanks to multiple people for their work and help over the year
  4. Erin Gillam, Faculty Senate Past-President
    - No announcements
  5. Lisa Montplaisir, Faculty Senate President-Elect
    - Thank you to Matt Smith for being willing to serve as Faculty Senate Secretary for the 24-25 academic year
  6. Kristi Steinmann, President of Staff Senate
    - Thanks to Warren
    - Introduction of Kay Hopkins, new Staff Senate President
  7. Garrett Kuhn, Student Body President
    - Introduced himself
  8. Seinqis Leinen, Director of Admissions
    - Not present (summary of announcement given by VP Kloby)
    - Strategic enrollment management plan
      - Working on ways to engage groups on campus, including faculty

9. Kathryn Kloby, VP for Communications and Marketing
  - Marketing and website updates
    - Experience campaigns
    - SimpsonScarborough group was on campus last week
    - Working on plans for the fall, will be engaging people during the summer on this work
    - Website has ~ 26,000 pages
      - Taking on the challenge to clean the website up
10. Alicia LaFerriere, NDSU Bookstore
  - Inclusive access program continues to grow (right now ~25% of sections use at least one inclusive access item)
  - Reminder about submitting course materials
  - Montplaisir: Question about whether one should write “No Book” during the materials adoption process if using OER materials
    - Make a note that you are using OER and that can be noted on the bookstore website so the students know

V. Consent Agenda

1. UCC Report
2. North Dakota Constitution of General Education Council
  - MOTION to Approve (Haug/Smith)
  - MOTION passed via unanimous consent

VI. Special Order

1. Election to for 2024-5 President Elect of Faculty Senate
  - Nominee – Christina Weber
    - Introduction by Dr. Weber
  - No floor nominations
  - Ballot vote (senator voting record not recorded)
  - Dr. Weber elected as the 2024-25 Faculty Senate President Elect
    - 32 WEBER; 1 WRITE-IN VOTE; 33 TOTAL VOTES

VII. New Business

1. Policy 336 – Examinations and Grading
  - MOTION to Approve (Haug/Boonstoppel)
  - MOTION passed (33 AYE; 0 NAY; 0 ABSTAIN)
    - See Q1 in Appendix 2 for Voting Record
- Policy 133.1 – Tuition Waiver – Spouse/Partner and Dependents
- MOTION to Approve (Wood/Benton)
  - Smith: concern that language change takes tuition waivers away from partners and only gives them to spouses and dependents

- MOTION to Table Policy 133.1 (Steig/Smith)
- MOTION passed (34 AYE; 0 NAY; 0 ABSTAIN)
  - Baldwin AYE, Hearne AYE
  - See Q2 in Appendix 2 for voting record

VIII. Adjournment

- MOTION to Adjourn (Smith/Benton)
- MOTION passed unanimously
- Meeting adjourned at 3:51pm

### Appendix 1. Attendance Record for May 6, 2024 Faculty Senate Meeting

Last Name	First Name	May 13	Last Name	First Name	May 13
Akhmedov	Azer	X	Steig	Jayme	X
Ambrosio*	Tom		Sun	Rex	X
Amiri	Ali	X	Tangen	Jodi	X
Barabanov*	Nikita		Travers	Steve	X
Benna	Justin	X	VanSickle	Candace	X
Benton	Brad	X	Vold	Jessica	X
Boonstoppel	Sarah	X	Wood	Scott	X
Choi	Bong-jin		Wu	Xiangfa	X
Choi	Juwon				
Christensen	Warren	X			
Del Rio	Luis	P			
Mendoza					
Gao	Jerry	X			
Gillam	Erin	X			
Hatterman-Valenti	Harlene	X			
Haug	Karla	X			
Hearne	Robert	X			
Hershberger	John				
Hong	David	X			
Huseth-Zosel	Andrea	X			
Huseynov	Fariz	X			
Jeong	Inbae				
Kilina	Svetlana	X			
Kirkpatrick	Sarah	X			
Kryjevskaja	Mila	X			
Larson	Jamee	X			
Li	Jin	X			
Magel	Ken	P			
Mathew	Febina	P			
Mataic	Dane	X			
Matthew	Sijo				
McGrath	Ryan	X			
McWood	Leanna				
Montplaisir	Lisa	X			
Nelson	Kjersten	X			
Peltier	Allison				
Rahman	Mukhlesur	X			
Rao	Jiajia	X			
Ross	Darrell				
Secor	Gary	X			
Smith	Matthew	X			

\*indicates Alternate 47 voting senators

Quorum = 25.8 (26 senators must be present)

X = Present

P = Proxy

## Appendix 2. Voting Record for May 6, 2024 Faculty Senate Meeting

Participant	Q1	Q2
Azer Akhmedov	AYE	AYE
Justin Benna	AYE	AYE
Bradley Benton	AYE	AYE
Sarah Boonstoppel	AYE	AYE
Jerry Gao	AYE	AYE
Erin Gillam	AYE	AYE
Harlene Hatterman-valenti	-	AYE
Karla Haug	AYE	AYE
Yongtao Hong	AYE	AYE
Andrea Huseth-Zosel	AYE	AYE
Fariz Huseynov	AYE	AYE
Ajay Kumar Jha	AYE	AYE
Svetlana Kilina	AYE	AYE
Sarah Kirkpatrick	AYE	AYE
Mila Kryjevskaia	AYE	AYE
Jamee Larson	AYE	AYE
Jin Li	AYE	AYE
Zhaohui Liu	AYE	AYE
Dane Mataic	AYE	AYE
Ryan McGrath	AYE	AYE
Lisa Montplaisir	AYE	AYE
Kjersten Nelson	AYE	AYE
Md Mukhlesur Rahman	AYE	AYE
Jiajia Rao	AYE	AYE
Gary Secor	AYE	AYE
Matthew Smith	AYE	AYE
Jayne Steig	AYE	AYE
XIN Sun	AYE	AYE
Jodi Tangen	AYE	AYE
Steven travers	AYE	AYE
Candace Vansickle	AYE	AYE
Jessica Vold	AYE	AYE
Scott Wood	AYE	AYE
Xiangfa Wu	AYE	AYE

## Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in **red** including the header must be filled in or it will be sent back to you for completion.

\*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to [ndsuscc@ndsuh.edu](mailto:ndsuscc@ndsuh.edu).

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

**Policy Number and Name: 133.1 Tuition Waiver – Spouse/Partner and Dependents**

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

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

Section 1.2 – removed Payroll since tuition waivers are managed by HR.

Section 1.4 – removed and then added clarifying language to better describe eligibility.

Section 1.6 – removed extra space before the first day.

Section 3.1 – removed Payroll (2 places) since tuition waivers are managed by HR; updated office name

Section 3.3 – removed extra space before Financial Aid and Scholarships; updated office name

Section 3.5 – directed them to Payroll Services website for taxation of graduate level classes (clarifying).

Section 3.6 – added this section for compliance reasons since dealing with student records.

Sections 1.2, 1.5, 3.1, 3.3 are just housekeeping changes. Section 1.4 and 3.5 are more clarifying changes and Section 3.6 is new to ensure compliance with FERPA.

\*The President’s Council for Campus Wellbeing is committed to integrating a “Health in All Policies” approach when current policies are revised and new policies are developed. Why a “Health in All Policies” approach? Policies have health effects—positive or negative--on the communities and the people who live and work within the community where the policy is implemented. In fact, the World Health Organization estimates that the social, financial, and environmental factors of a community influence up to 55% of a person’s wellbeing. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making. For more information, see [HiAP at NDSU 2023 Report](#).

Individual/Department/Committee or Organization submitting the policy change: Mark Genkinger, Pat Hanson and Doreen Kramer

Date Submitted to SCC Secretary: 5/21/2024

Email address of the person who should be contacted if revisions are requested: [mark.genkinger@ndsuh.edu](mailto:mark.genkinger@ndsuh.edu)

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

**Sub-Goal:** Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	X			Keep more inclusive to benefit more individuals.
The <i>financial</i> impact on students, staff, faculty, others was considered.	X			Keep more inclusive to benefit more individuals.
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	X			Keep more inclusive to benefit more individuals.
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	X			We have tried to streamline and add clarifying language to make this process easier and thus not impact mental health of individuals.
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			Review document and believe we have the proper language.
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			Yes, worked with Payroll and Customer Accounts along with feedback from student, staff and faculty senates.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			Yes, worked with Payroll and Customer Accounts along with feedback from student, staff and faculty senates.
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X			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.
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.	X			Yes these were all taken into consideration.
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			Yes, this can be enforced/implemented/applied by depts involved in process.



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

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

# North Dakota State University

## Policy Manual

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### SECTION 133.1

#### TUITION WAIVER – SPOUSE/PARTNER AND DEPENDENTS

SOURCE: NDSU President  
SBHE Policy Manual, Section 820.3

The North Dakota State Board of Higher Education and North Dakota State University encourages the family members of benefitted employees to pursue a program of continuing education. 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, benefitted NDSU employees as defined in SBHE Board Policy 703.2 are eligible for the waiver.
  - 1.1 Dependents are defined as a child who is related to the employee as a natural child, a child placed for adoption, a legally adopted child, a child for whom the employee has legal guardianship, a stepchild, or a foster child, under the age of 26. Eligible dependents do not include the spouse of an adult dependent child.
  - 1.2 Partner is defined for purposes of this policy as same sex partners who have completed and filed a Declaration of Domestic Partnership <http://www.ndsu.edu/forms/> with the Office of Human Resources/~~Payroll~~.
  - 1.3 A spouse/partner or dependent who is also a regular, benefitted employee as defined in SBHE Board Policy 703.2 is only eligible for the educational benefit outlined in Section 133 (Educational Policy).
  - 1.4 A spouse/partner or dependent who ~~is eligible for the graduate assistant tuition waiver or the cultural diversity tuition waiver are not eligible for this educational benefit. Other waivers may also not be awarded which may duplicate benefits.~~ utilizes other NDSU tuition waivers may have the spouse/partner and dependent waiver reduced in order to ensure that the amount of tuition waivers do not exceed the actual tuition cost for the semester.
  - 1.5 The spouse/partner ~~and~~/or dependents must meet admission standards and register for classes through regular registration procedures.
  - 1.6 The employee must be actively employed two weeks prior to ~~the~~ first day of each semester for the spouse/partner or dependent to be eligible for the waiver.
2. The tuition waiver is 50% of the tuition for NDSU for-credit classes per spouse/partner or dependent.
  - 2.1 This policy is applicable to any degree eligible and remedial courses, regardless of delivery or instruction mode.
    - 2.1.1 Waivers cannot be used for third party provided curriculum where NDSU directly pays full or partial tuition collected to the third party, consortium programs such as the Great Plains IDEA consortium, or professional development courses which do not result in the award of college credit.

2.1.2 This waiver benefit is available on classes taken through the Tri-College University Course Exchange.

2.2 The maximum tuition waiver for the spouse/partner or dependent of more than one eligible employee is 50%.

2.3 Fees are not waived.

2.4 The tuition waiver applies to undergraduate, professional and graduate level classes.

2.5 Early Entry students are eligible according to the terms of this policy.

### 3. Procedure

3.1 A ~~s~~Spouse/~~p~~Partner and ~~d~~Dependent ~~t~~Tuition ~~w~~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. The Human Resources ~~and Payroll~~ office will review to ensure the student is eligible as a spouse/partner or dependent of the benefitted employee. ~~The NDSU Customer Account Services office~~ will review the educational benefit for course and waiver exclusions, and will process the tuition waiver benefit. 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 Financial Aid and Scholarships office~~ NDSU One Stop 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 The spouse/partner and dependent tuition waiver may not be received if the employee, spouse/partner or dependent has an overdue accounts receivable balance with the University.

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 ~~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 as specified on the Payroll Services website.~~

3.6 All employees exercising this benefit must adhere to the Family Educational Rights and Privacy Act of 1974 (FERPA) in regards to the student's educational record.

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#### 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
Amended	April 7, 2017

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

**Policy Number and Name:** Section 153 Smoke-Free Facilities

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

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

\*The President's Council for Campus Well-being is committed to integrating a "Health in All Policies" approach when current policies are revised and new policies are developed. Why a "Health in All Policies" approach? Policies have health effects—positive or negative—on the communities and the people who live and work within the community where the policy is implemented. In fact, the World Health Organization estimates that the social, financial, and environmental factors of a community influence up to 55% of a person's well-being. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making. For more information, see [HiAP at NDSU 2023 Report](#).

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

Emily Hegg, Associate Director of Campus Well-being, Student Health Service

**Date Submitted to SCC Secretary:** 3/28/2024

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

emily.hegg@ndsus.edu

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

**Sub-Goal:** Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	X			A tobacco/nicotine-free campus models positive policy change that is direct action toward placing the health and well-being of the campus community members as a top priority.
The <i>financial</i> impact on students, staff, faculty, others was considered.	X			<ul style="list-style-type: none"> <li>A personal financial impact may come in the form of cessation resources. Cessation support for students is provided in Student Health Service as well as referral to local resources. Cessation efforts for staff and faculty can be provided by local cessation programs/resources and support through EAP.</li> <li>Tobacco/nicotine-free signage will be designed and branded by NDSU Publication Services and funded by Fargo Cass Public Health. NDSU Facilities Management will support with implementation of the physical signage.</li> </ul>
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	X			A tobacco/nicotine-free campus has a direct positive impact on the physical health of the campus community members and the environment.
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	X			Substance use and mental health is strongly connected. Supporting a campus environment that is tobacco/nicotine-free will support the overall mental health of the campus community members.
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			The policy language includes guidance on use for specific activities used in connection with the safe practice of traditional spiritual, religious or cultural ceremonies.
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			<p>Key Campus stakeholders were contacted regarding policy change and/or in support of change in policy:</p> <ul style="list-style-type: none"> <li>President's Council for Campus Well-being</li> <li>Campus Well-being Educators (student peer educators)</li> </ul>

			<ul style="list-style-type: none"> <li>▪ Public Health Association (student organization)</li> <li>▪ Dr. Charles Peterson- Dean CHP</li> <li>▪ Dr. Kimberly F. Wallin, Ph.D. Dean and Professor / College of Science and Mathematics</li> <li>▪ Dr. Pamela Johnson, Chair, MPH</li> <li>▪ Dr. Carla Gross- Associate Dean, Nursing</li> <li>▪ Angela McAdams, Director, Department of Allied Sciences</li> <li>▪ Dr. Mark Strand- Professor Pharmacy Practice and Public Health Departments</li> <li>▪ Dr. Brody Maack, Pharmacy Practice</li> <li>▪ Dr. Michael Kelsch, Pharmacy Practice</li> <li>▪ Patricia Dirk, Director of Student Health Service</li> <li>▪ Lynette Flage, Associate Director/NDSU Extension</li> <li>▪ Blaine G. Schatz, Assistant Director- NDSU Agriculture Experiment Station</li> <li>▪ Mike Borr, Director of University Police and Safety Office</li> <li>▪ Mike Ellingson, Director of Facilities Management</li> <li>▪ NDSU Publication Services</li> </ul>
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X		In addition to list of supporters above, review and input from the Public Health Law Center ( <a href="https://www.publichealthlawcenter.org/">https://www.publichealthlawcenter.org/</a> ) and Fargo Cass Public Health was provided; both of which were in support of the proposed policy changes
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X		A tobacco/nicotine-free policy will positively impact the campus environment and support planetary health. "E-cigarette and tobacco product waste can make its way into the environment where it pollutes the air, water, and land with toxic chemicals, heavy metals, and residual nicotine". <sup>1</sup>
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.	X		Tobacco/nicotine product use trending data for students will continue to be collected through the American College

				Health Association-National College Health Assessment.
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			Tobacco/nicotine-free policies are generally self-enforcing; Language regarding policy would be updated within the Student Code of Conduct and other personnel policies within the NDSU policy manual; Campus signage will be updated in collaboration with NDSU Publication Services and Fargo Cass Public Health.

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

North Dakota State University has a strong commitment to the health and safety of all employees, students and visitors at NDSU. To reference the University Health and Safety Policy Section 166<sup>2</sup>, “NDSU hopes to establish a comprehensive safety policy that facilitates the protection of life and property by providing a safe University work and learning environment that is free of recognized hazards that could cause injury, illness or property damage”. While NDSU maintains a safe work and learning environment in many ways, it is critical to highlight that tobacco use is a globally recognized health hazard known to cause injury, illness, and death. According to the U.S. Department of Health and Human Services<sup>3</sup>, tobacco use is the leading cause of premature and preventable death in the United States. With nearly 9 out of 10 smokers starting before the age of 18 and almost all starting by age 26<sup>3</sup>, North Dakota State University needs to protect the health and well-being of its students, faculty, staff and visitors by fostering an environment that is not only smoke-free, but completely tobacco and nicotine-free.

According to the American College Health Association (ACHA) College Health and Well-being Data Hub, for the academic year of 2021-2022, only 2% (4 of the 180 surveyed institutions) indicated a smoke-free policy that still permitted other tobacco use<sup>4</sup>. Additionally, NDSU is the sole remaining campus within the North Dakota University System whose policy does not include smokeless tobacco use. This has been the case for many years. Below are the years in which each NDUS institution adopted a tobacco-free policy:

- Bismarck State College – 2006
- Dakota College at Bottineau – 2017
- Dickinson State University – 2009
- Lake Region State College – 2010
- Mayville State University – 2009
- Minot State University – 2009
- North Dakota State College of Science – 2011
- North Dakota State University -
- University of North Dakota – 2007
- Valley City State University – 2008
- Williston State College – 2012

In addition to the colleges and universities within NDUS, other tobacco-free colleges and universities within the state of North Dakota include: Trinity Bible College, Turtle Mountain Community College, United Tribes Technical College, University of Jamestown, and University of Mary.

To add additional clarity to the proposed policy, the title of the policy and definition title of tobacco product was updated to include nicotine. Nicotine was always included in the previous proposed policy versions and definitions, however,



adding this term to the policy title with clear language throughout the policy itself will increase understanding, interpretation and transparency. This is especially critical as the tobacco industry is now producing products labeled as “tobacco-free” that are made with synthetic nicotine.

By amending the current Smoke-Free Facilities policy to an inclusive Tobacco/Nicotine-Free Campus policy, NDSU will be taking a critical stance for the health and well-being of the campus, the Fargo-Moorhead community, and the state of North Dakota.

With the research to support a policy prohibiting the use of all tobacco products, proposed Policy 153 amendments include:

- Change of Smoke-free policy to Tobacco/Nicotine-Free Policy
- Updated Sources to correct Fargo Municipal Code of Ordinances and North Dakota Century Codes
- Narrative regarding the importance of a tobacco/nicotine-free policy
- Additional definitions surrounding the use of tobacco and associated products, campus property, and personnel impacted by proposed policy. (Includes change in definition from “school-sponsored event” to “university-sponsored event” per V2 feedback)
- Includes indoor smokeless tobacco/nicotine use exemption to allow use within specific residences that fall under campus property (per V2 feedback).
- Includes clarification on policy impacts to NDSU Extension county programs as it relates to local tobacco/nicotine policies and enforcement in spaces not owned by NDSU.
- Statement included reiterating the current Student Affairs and Enrollment Management Sponsorship Guidelines<sup>5</sup> regarding the prohibition of tobacco advertising and sponsorship.
- Statement included to prohibit the sale or distribution of tobacco and nicotine products.
- Statement included addressing the communication of the policy to the students, employees, and public.
- Section included addressing policy enforcement (Removed statement on enforcement of visitors per V3 feedback)
- Updated and added resources for tobacco and nicotine cessation.

#### References:

<sup>1</sup> Truth Initiative - Inspiring Lives Free From Smoking, Vaping & Nicotine. Tobacco and the environment. [cited 2024, Mar 6]. <https://truthinitiative.org/research-resources/harmful-effects-tobacco/tobacco-and-environment>

<sup>2</sup> North Dakota State University Policy Manual Section 166 University Health and Safety Policy. [cited 2024, Mar 6]. Available from <https://www.ndsu.edu/fileadmin/policy/166.pdf>

<sup>3</sup> U.S. Department of Health and Human Services. Tobacco Reports and Publications [cited 2024, Mar 6]. Available from <https://www.hhs.gov/surgeongeneral/reports-and-publications/tobacco/index.html>

<sup>4</sup> American College Health Association (ACHA) College Health and Well-being Data Hub [cited 2024, Mar 27]. Information about the data hub is available from [https://www.acha.org/ACHA/Programs/Data\\_Hub/ACHA/Programs\\_and\\_Services/Data\\_Hub.aspx?hkey=d52cc275-df6b-4b77-91cf-154dfd7ec861](https://www.acha.org/ACHA/Programs/Data_Hub/ACHA/Programs_and_Services/Data_Hub.aspx?hkey=d52cc275-df6b-4b77-91cf-154dfd7ec861)

<sup>5</sup> Student Affairs and Enrollment Management Sponsorship Guidelines [cited 2024, Mar 6]. Available from [https://www.ndsu.edu/fileadmin/enrollmentmanagement/Forms/Sponsorship\\_Guidelines.pdf](https://www.ndsu.edu/fileadmin/enrollmentmanagement/Forms/Sponsorship_Guidelines.pdf)

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

# North Dakota State University Policy Manual

## SECTION 153

### SMOKE TOBACCO/NICOTINE-FREE FACILITIES CAMPUS

SOURCE: SBHE Policy Manual, Section 917

Fargo Municipal Code of Ordinances 10-1001 through 10-13032  
North Dakota Century Code 23-12-09 through 23-12-11 North Dakota  
Century Code 50-11.1-02.2  
and 23-12-10 NDSU NDSU -President

The use of tobacco and nicotine products are is linked to many health hazards including cancer, heart disease, stroke, lung disease, diabetes and Chronic Obstructive Pulmonary Disease (COPD). Use of tobacco products is the leading cause of preventable death and disability in North Dakota. North Dakota State University is committed to promoting healthier educational, work and living environments. North Dakota State University recognizes the serious health risks associated with the use of tobacco and nicotine products, both to users and non-users alike, and believes that the use of tobacco/nicotine products is detrimental to the health and safety of students, employees and visitors.

This tobacco/nicotine-free policy is established to:

1. Reduce the high incidence of tobacco and nicotine use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Establish a standard of healthy, tobacco/nicotine-free behavior.

#### Definitions:

"Campus Property" includes all property, both indoor and outdoor, that is owned, operated, leased, occupied or controlled by NDSU, including all buildings, stairwells, parking lots, offices, green spaces and sidewalks that are located on such property. Campus property also includes all motorized equipment and vehicles owned or leased by NDSU, and all private vehicles during the time in which those vehicles are on NDSU property and/or used for NDSU work related activities.

"Electronic Smoking Device" means any device that can be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah.

"Employee" means any person employed by NDSU in a full-or part-time capacity, or any position contracted for or otherwise employed, with direct or indirect monetary wages or profits paid by NDSU, or any person working on Campus Property on a volunteer basis. The term includes all exempt and non-exempt employees, contactors, vendors and consultants.

"Off-Campus, University-sponsored Event" means any event sponsored by NDSU that does not take place on Campus Property.

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or hookah, or any other lighted or heated product, whether natural or synthetic, containing, made of, or derived from nicotine, tobacco, marijuana, or any other plant, that is intended for inhalation. Smoking also includes carrying or using an activated Electronic Smoking Device.

**Commented [EH1]:** Proposing the policy name change to "Tobacco-Free Campus"

**Commented [EH2]:** Added Fargo Municipal Code of Ordinances Article 10-1001 through 10-1303 to support and be inclusive of current city ordinances related to smoking and tobacco use. Included definition of "Tobacco Products" from 10-1001.

**Commented [HE3R2]:** Previous comment and version had a typographical error in the noted Municipal Code cited Articles. Comment and policy have been corrected.

**Commented [EH4]:** Removed North Dakota Century Code 50-11.1-02.2 due to redundancy of Smoke-Free Facilities policy section 2 that prohibited smoking in a child care facility or near children enrolled in the facility. Under the proposed Tobacco-Free Campus policy, the inclusive prohibition of all tobacco use would include these facilities.

Expanded North Dakota Century Code to include 23-12-09 through 23-12-11 to support and be inclusive of current effective laws of North Dakota related to smoking and tobacco use.

**Commented [HE5R4]:** Previous comment and version had typographical error in noted Century Code. Comment and policy have been corrected.

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**Commented [HE6]:** Added statement explaining rationale for the policy.

**Commented [HE7]:** Added "Campus Property" definition to add clarity on the locations of which this policy is covered. Definition is directly from BreatheND North Dakota's Comprehensive Model Tobacco-Free Campus Policy.

**Commented [HE8]:** Removed section related to private vehicles after discussing impact on NDSU Extension staff as they primarily utilize their personal vehicle for work purposes.

**Commented [EH9]:** Added "Electronic Smoking Device" definition as the "Smoking" definition includes reference to such devices.

**Commented [HE10]:** Added "Employee" definition as it is important to clarify that this policy includes even those who are volunteering or are working with NDSU through other means.

**Commented [HE11]:** Added "Off-Campus, School-sponsored Event" definition to ensure our policy is upheld at any and all NDSU sponsored events. Allowing tobacco use at off-campus activities will jeopardize the credibility and stance NDSU has against tobacco use.

**Commented [HE12R11]:** Changed "School-sponsored Event" to "University-sponsored Event" to clarify intention of all events sponsored by NDSU.

**Commented [HE13]:** Moved the location of this definition. Suggested a minor revision to this definition to language that is more comprehensive.

"Student" means any person enrolled in any educational course or program offered by NDSU.

"Tobacco/Nicotine Product" shall mean, any product containing, made of, or derived from tobacco or nicotine, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. "Tobacco/Nicotine Product" also means an Electronic Smoking Device and any component or accessory used in the consumption of a Tobacco Product, such as filters, rolling papers, pipes, and substances used in Electronic Smoking Devices, whether or not they contain nicotine. "Tobacco/Nicotine Product" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

"Tobacco/Nicotine Use" means the act of Smoking, the use of smokeless tobacco, or the use of any other Tobacco/Nicotine Product in any form.

"Visitor" means any person who is not a Student or Employee.

To support and model a healthy lifestyle for our students, employees and community, North Dakota State University establishes the following tobacco/nicotine-free policy.

For the purpose of this policy, "smoking" is defined as inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. Smoking also includes the use of an e-cigarette which creates a vapor, in any manner or any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Policy.

#### Policy:

1. NDSU prohibits the use of Tobacco/Nicotine Products at all times anywhere on Campus Property. This includes, but is not limited to, the use of Tobacco/Nicotine Products by employees, students, contractors, vendors, and visitors to NDSU.

1.1 Tobacco/Nicotine use is permitted at the NDSU Research Extension Centers (RECs) and NDSU Extension county offices (excluding the Main Experiment Station), but only in those outdoor areas at least 50 feet from buildings.

1.2 Indoor smokeless tobacco/nicotine use (chewing tobacco, dip, snuff, and snus) is permitted at residences owned by the ND Agricultural Experiment Station, family student residences, on-campus professional staff residences, the President's residence, and other special exemptions as granted by the President or the President's designee.

4.2 The use of Tobacco/Nicotine Products is prohibited at all events held on Campus Property, whether or not such events are sponsored by, or associated with, NDSU, and all Off-Campus, University-sponsored Events.

2.1 For NDSU Extension county programs, any local tobacco/nicotine policies will supersede NDSU policy, and employees of NDSU Extension conducting extension activities are exempt from enforcing NDSU policy 153 in spaces not owned by NDSU.

**Commented [HE14]:** Added "Student" definition.

**Commented [EH15]:** Added "Tobacco Products" definition directly from Fargo Municipal Code of Ordinances 10-1001 with slight modification for greater clarity and to encompass synthetic nicotine products.

**Commented [HE16R15]:** Updated the existing definition title to increase clarity and understanding that nicotine is included in the prohibition.

**Commented [EH17]:** Added "Tobacco Use" definition to ensure clarity of intended use.

**Commented [HE18R17]:** Added Nicotine to the title to increase clarity and understanding that nicotine is included in the prohibition.

**Commented [EH19]:** Added "Visitor" definition to ensure we have all persons included in the policy.

**Commented [HE20]:** Added a supporting statement

**Commented [EH21]:** Added contractors and vendors to be inclusive and transparent with expectations of all individuals entering the campus.

**Commented [HE22]:** Moved previous "Smoke-Free Facilities" policy section 7 up to be included in new "Tobacco-Free" policy section 1 to place greater emphasis and clarity of whom this policy impacts.

**Commented [EH23]:** The tobacco use prohibition clarifies that this ban includes all University grounds and University owned, operated or leased buildings and properties. Removed "residence halls, apartments and enclosed structures" as these are already included in the current statement.

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**Commented [HE24]:** Updated per request of Interim Co-Director/Agriculture Communication

**Commented [HE25]:** Added back into the policy the 50 feet from building exemption.

**Commented [HE26]:** Added indoor smokeless tobacco use exemption to allow use within specific residences that fall under campus property. Language is modeled after Policy 155. Fraternities and sororities were not included in this statement as NDSU does not own any property that a fraternity or sorority resides in - therefore they are not "campus property"

**Commented [HE27]:** Added statement regarding the prohibition for both on and off campus property events to ensure our policy is upheld at any and all NDSU sponsored or hosted events. Allowing tobacco use at such activities will jeopardize the credibility and stance NDSU has against tobacco use.

**Commented [HE28]:** Added 2.1 Exemption in relation to NDSU Extension county programs. Extension agents' salaries are paid half by NDSU and half by the county in which they are based, and that county may have its own tobacco policies. They also usually work in buildings not owned by NDSU. Even if we do not need the part about local laws/policies superseding NDSU policy, we still need an exception because of things like ...

~~3. All tobacco/nicotine-related promotions, advertising, marketing, distribution, sponsorship, and acceptance of financial contributions and/or gifts are prohibited on Campus Property, at Off-Campus, University-sponsored events, and in all publications controlled by NDSU.~~

~~2. NDSU prohibits the sale or distribution of Tobacco/Nicotine Products on Campus Property and at Off-Campus, University-sponsored Events. Smoking is prohibited on the North Dakota State University grounds and in University buildings, residence halls, apartments and enclosed structures.~~

~~4.~~

~~3. Smoking is not permitted in a child care facility or near children enrolled in the facility. (ND Century Code 50-11.1-02.2)~~

~~4. Outdoor smoking is permitted at the N.D. Research and Extension Centers (excluding the Main Experiment Station), but only in those outdoor areas at least 50 feet from buildings.~~

~~5. Entities exempt from Policy 153, Section 1, include private companies in the NDSU Research and Technology Park, facilities owned on land leased to and controlled by other governmental or private entities, Northern Crop Institute, and Newman Outdoor Field.~~

~~6. Smoking is prohibited in state owned or leased vehicles and motorized equipment.~~

~~7.5. The smoke-free facilities Tobacco/Nicotine Product prohibition does not apply to specific activities used in connection with the safe practice of traditional spiritual, religious or cultural ceremonies (See [https://www.ndsu.edu/multicultural/student\\_support/](https://www.ndsu.edu/multicultural/student_support/) for information on cultural ceremonies such as smudging, etc.).~~

~~56.1~~ When engaging in a spiritual, religious or cultural ceremony using smoke in any campus location, the following precautions should be taken:

Identification of the location of the nearest fire pull station and fire extinguisher;

Communication with appropriate students and NDSU personnel (room/suitemates and building directors) to share time and location of ceremony. Please contact NDSU personnel in person or by phone;

Contain embers and ashes in abalone shells, ceramic bowls, or similar items; and

Extinguish embers/ashes appropriately to eliminate risk of fire.

~~8. Faculty, staff, students and visitors to NDSU are covered by this policy.~~

#### Communicating the Policy to Students, Employees, & Public:

This policy will be included in the NDSU Policy Manual and the Code of Student Conduct and communicated as part of the employee and student orientation. North Dakota State University shall post signs indicating that the Campus Property is tobacco/nicotine-free in all locations and in the manner identified in NDCC 23-12-10.4.1(a) and (b). In addition, notices should be posted in other highly visible places on Campus Property including, but not limited to, walkways, athletic fields, parking lots and at all Off-Campus, University-sponsored Events. Students, employees and the public will be notified of this policy

**Commented [EH29]:** Added policy statement related to advertising of tobacco use and products. Although the Student Affairs and Enrollment Management Sponsorship Guidelines states "Tobacco products or companies that promote tobacco use" are not accepted, expanding upon this prohibition within the Tobacco-Free Campus Policy itself will emphasize the importance of the campus stance on tobacco use.

**Commented [EH30]:** Added policy statement clarifying the prohibition of tobacco product sales on campus. Expanding upon this prohibition within the Tobacco-Free Campus Policy itself will emphasize the importance of the campus stance on tobacco use.

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**Commented [EH31]:** Removed "Smoke-Free Facilities" policy section 2 "Smoking is not permitted in a child care facility or near children enrolled in the facility" due to redundancy as these facilities are already included in current policy section 1.

**Commented [EH32]:** Removed "Smoke-Free Facilities" policy section 3 to eliminate permission of a designated smoking perimeter at the N.D Research Extension Centers.

Limiting the list of exemptions will strengthen the policy and stance towards a tobacco-free environment.

**Commented [EH33]:** Removed "Smoke-Free Facilities" policy section 4 pertaining to policy exemptions.

By adding a Campus Property definition to the policy, it is redundant to include a specific exemption for those entities that do not fall under this proposed definition. Therefore, the exemption of "facilities owned on land leased to and controlled by other governmental or private entities" was removed.

Removed "private companies in the NDSU Research and Technology Park", "Northern Crop Institute" and "Newman Outdoor Field," as these private companies and the field are already exempt with the current statement as they are not considered Campus Property as indicated in the proposed definition. This exemption will also include the Fargodome as it is a city owned facility on NDSU land. Note that the Fargodome and Newman Outdoor Field have their own smoke-free policies (however, do not include all tobacco use). With the new proposed policy and included definitions, any NDSU Off-Campus, University-sponsored Event held within these facilities will abide by the proposed policy.

**Commented [EH34]:** Removed "Smoke-free facilities" policy section 5 as the new campus property definition includes the prohibition of state-owned or leased vehicles and motorized equipment.

**Commented [EH35]:** Updated language

**Commented [EH36]:** Removed current policy section 7 related to who is covered by this policy as the proposed policy section 1 includes who the policy impacts.

in writing or electronically and, when feasible, through verbal announcements at University-sponsored events.

#### Enforcement:

All individuals on Campus Property or at an Off-Campus, University-sponsored Event share in the responsibility for adhering to and enforcing this policy. All members of the NDSU community are expected to support this policy and cooperate in its implementation and enforcement. Students, employees, and visitors violating this policy should be reminded of the policy and asked to comply.

Violations of the policy by students may be cause for disciplinary action in accordance with the Code of Student Conduct.

Violations of the policy by employees will be handled in accordance with written personnel policies contained in the NDSU Policy Manual.

Visitors violating this tobacco free policy will be asked to refrain from using Tobacco Products while on Campus Property or to leave the premises. Law enforcement officers may be contacted to escort visitors off the Campus Property or to cite the visitor for trespassing if the person refuses to leave the Campus Property.

#### Cessation Resources:

Dangers of tobacco and nicotine use can be found at the U.S. Department of Health & Human Services and Centers for Disease Control and Prevention websites.

Students requesting tobacco and nicotine cessation assistance are encouraged to visit with a NDSU Student Health Service, Certified Tobacco Treatment Specialist.

Tobacco and nicotine cessation resources can be found on the <https://www.hhs.nd.gov/health/community/tobacco/ndquits/cessation-programs> webpage site.

(Dangers of smoking can be found at the American Cancer Society website, and smoking cessation resources are listed in the NDDH Directory of North Dakota Tobacco Cessation Programs.)

Smoke Free Campus Website

#### HISTORY:

New	June 21, 1990
Amended	April 2006
Amended	February 2008
Amended	March 1, 2010
Housekeeping	December 2010
Housekeeping	May 31, 2012
Housekeeping	April 11, 2013
Housekeeping	April 22, 2013
Housekeeping	June 15, 2018
Amended	August 23, 2021
Amended	November 3, 2021

**Commented [HE37]:** In accordance with suggested tobacco-free policy development, a "Communicating the Policy to Students, Employees, & Public" was included.

Content was developed from BreatheND North Dakota's Comprehensive Model Tobacco-Free Campus Policy.

**Commented [HE38]:** In accordance with suggested tobacco-free policy development, a "Enforcement" section was included. Content was developed from BreatheND North Dakota's Comprehensive Model Tobacco-Free Campus Policy.

Most of whom I have visited with regarding the policy was under the belief that we were already a tobacco-free campus. However, if enforcement is a concern, clear communication and education with the implementation of a "Tobacco-Free Campus" policy will be needed to ease any confusion and create better understanding of why NDSU would support this policy change.

**Commented [HE39]:** Removed this section following discussion with University Police and Safety Office. Police officers are law enforcement officers, not policy enforcement officers.

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**Commented [HE40]:** Added information for Student Health Service as the department is able to assist students with their desire to quit the use of tobacco.

**Commented [HE41]:** Removed "Certified Tobacco Treatment Specialist"

**Commented [EH42]:** Updated tobacco free resources indicating dangers of use as well as resource for cessation assistance

**Commented [HE43]:** Updated resource and link

**Commented [EH44]:** Removed "Smoke Free Campus Website" text and link as the hyperlink was broken and the listed webpage is not active.

## Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in **red** including the header must be filled in or it will be sent back to you for completion.

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

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

Policy Number and Name: 607

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

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

607 describes the process for the review and decisions regarding (re)admission to NDSU when an applicant has a potential safety/security risk associated with them enrolling due to a criminal background pursuant to NDUS Procedure 511 (Student Criminal History Background Checks).

\*The President's Council for Campus Well-being is committed to integrating a "Health in All Policies" approach when current policies are revised and new policies are developed. Why a "Health in All Policies" approach? Policies have health effects—positive or negative—on the communities and the people who live and work within the community where the policy is implemented. In fact, the World Health Organization estimates that the social, financial, and environmental factors of a community influence up to 55% of a person's well-being. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making. For more information, see [HiAP at NDSU 2023 Report](#).

Individual/Department/Committee or Organization submitting the policy change:  
NDSU Dean of Students/Safety and Security Committee

Date Submitted to SCC Secretary: 7/11/24

Email address of the person who should be contacted if revisions are requested:  
[matt.diischer@nds.edu](mailto:matt.diischer@nds.edu)

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

**Sub-Goal:** Design and implement additional programming, curriculum, outreach opportunities, and policies that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

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

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

With change of SAIE (formerly SAEM), needed to review titles and procedure. In addition, S&S Committee found that if a student wished to appeal a decision (which very rarely occurs, as almost all decisions from that committee allow the [re]applicant to attend in some form), the current process resulted in an appeal where the designated single staff person (who may or may not have training in risk management/threat assessment) was ultimately asking the committee for their recommendation and choosing that decision. The committee also makes and communicates decisions about length of denial of application or conditions required to apply again. Based on this information, proposing the changes in the document to have a single-decision by committee for this process.



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

# North Dakota State University

## Policy Manual

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### SECTION 607

#### ADMISSION & RE-ENROLLMENT SAFETY RISKS; BACKGROUND CHECKS

SOURCE: NDSU President

##### 1. General

- 1.1 North Dakota State University is committed to providing an atmosphere that encourages learning, the exchange of ideas and interacting with one another in a safe environment.
- 1.2 The University reserves the right to deny or to place conditions on admission or re-enrollment of applicants and former students if the University determines such person represents a safety risk to persons or property at NDSU.

~~1.3 Undergraduate applicants have the right to appeal decisions under this policy to the Vice Provost for Academic Affairs within seven calendar days of the date the notice was received. Graduate applicants may appeal to the Dean of the Graduate School within the same time frame.~~

- 1.34 The following language will appear in admissions material and University Bulletins:

NDSU reserves the right to refuse admission or re-enrollment or to place conditions on admission or re-enrollment of applicants and former students who NDSU determines represent a safety risk to NDSU students, employees or property. The NDSU Safety and Security Committee will evaluate applicants and reapplicants, and provide communication about decisions to deny or place conditions on admission or re-enrollment. ~~Undergraduate applicants have the right to appeal any decision to the Vice Provost for Academic Affairs within seven calendar days of the date the notice was received. Graduate applicants may appeal any decision to the Dean of the Graduate School within the same time frame.~~

##### 2. Background Checks

###### 2.1 Purpose

- 2.1.1 The purpose of this policy is to implement NDUS Policy 511 and NDUS Procedure 511 pertaining to criminal background checks on students.
- 2.1.2 Employee background checks are covered pursuant to NDUS Policy 602.3, NDUS Procedure 602.3 and NDSU Policy 112. Students who are employees can also be covered under those policies in their employee status.

###### 2.2 Admission to the University

###### 2.2.1 Undergraduate Students

- 2.2.1.1 Pursuant to section 1.2 of this policy, NDSU has a Safety and Security Committee which reviews domestic undergraduate and graduate

applications which indicate a criminal background pursuant to the [NDUS Procedure 511](#).

Field Code Changed

- 2.2.1.2 International applicants must still answer the standard criminal background questions on the admission form. International students transferring from within the United States must follow the admission process as stated in 2.2.1.1 International students applying from outside the United States use the U.S. State Department Nonimmigrant Visa Application and are checked through that process. NDSU considers that background check process to be sufficient.

## 2.2.2 Graduate Students

- 2.2.2.1 The Graduate School will process admission applications like the NDSU Office of Admission and the Office of Registration and Records by sending positive responses through the Safety and Security Committee as described in section 2.2.1.1.
- 2.2.2.2 International applicants must still answer the standard criminal background check questions on the admission form. International students transferring from within the United States must follow the admission process as stated in 2.2.1.1. International students applying from outside the United States use the U.S. Department Nonimmigrant Visa Application and are checked through that process. NDSU considers that background check process to be sufficient.

- 2.2.3 Students admitted to distance and continuing education courses are required to answer the standard background admission questions so long as they are considered to be NDSU "admitted" students. [Note: There may be some unique multi-state programs (e.g., consortiums) where these requirements will not apply because the student is enrolled in another university.]

## 2.3 Admission to Specific Programs

- 2.3.1 FBI checks are required in those programs identified in NDUS Procedure 511(1). These checks will be handled through the appropriate College and Program (e.g., Education and Pharmacy). North Dakota BCI checks (or FBI checks) will be handled similarly through the appropriate college and program (see NDUS Procedure 511(2)). Employees coordinating these checks must be properly trained. Checks in some programs may be required twice (e.g., once upon admission to the program and again when students go out for internships or student teaching).
- 2.3.2 Background checks for student teachers are processed through the N.D. Education Standards and Practices Board. This Board receives the background checks directly through BCI, and a letter specifying the outcome of the background check is provided to the Teacher Education Program.

## 2.4 Private Vendors

- 2.4.1 Use of private vendors for background checks is acceptable. Programs wishing to contract with a private vendor must consult with the Safety and Security Committee and receive approval through the appropriate University channels.

## 2.5 Recordkeeping, Sharing Information & Other

2.5.1 The results of student background checks are considered educational records under FERPA and will be handled via the University recordkeeping policies. Information will only be shared pursuant to those rules and on a need-to-know basis.

2.5.2 FBI check results must be secured and kept separate from other background check information. These results must be shredded pursuant to University retention policies. The FBI audits how these records are handled.

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### HISTORY:

New	October 2001
Amended	July 2, 2009
Housekeeping	March 04, 2011
Housekeeping	July 1, 2015

## Policy Change Cover Sheet

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

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

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

**Policy Number and Name:** Policy 823 – Financial Conflict of Interest – Public Health Service, National Science Foundation or Other Applicable Sponsor

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

- 1) In December 2021, the Department of Energy started requiring investigators applying for and receiving DoE funds to disclose significant financial interests which may be perceived or actual conflicts of interest related to their research. While NDSU has been complying with this requirement, we are updating this policy to reflect the applicability of DoE requirements for COI disclosures.**
  - 2) We are aligning the definition of ‘family member’ to be consistent with the federal agencies (NSF, NIH, and DoE) definition.**
  - 3) In January 2023, NDSU launched an online submission module for COI disclosures through Novelution. Reference to the previous SFI form completed through DocuSign have now been replaced with the correct title of the online disclosure process.**
  - 4) On August 21, 2023, NASA published Grant Information Circular 23-07 to inform grant and cooperative agreement recipients of forthcoming conflict of interest disclosure requirements going into effect for new and amended awards starting December 1, 2023.**
- Update: Revisions from Responsible Office to Section 2.1 to include ‘spouse/partner’**

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

This policy applies to (check all that apply): ☒ Students ☒ Staff ☒ Faculty ☐ Other (please describe): The policy would apply to faculty, staff or students who are considered “investigators” on a funding proposal to the NSF, NIH, Department of Energy, or other [applicable funding agency](#).

Individual/Department/Committee or Organization submitting the policy change: Kristy Shirley, Research Integrity & Compliance Manager

Date Submitted to SCC Secretary: 4/12/2024

Email address of the person who should be contacted if revisions are requested: [Kristy.shirley@ndsu.edu](mailto:Kristy.shirley@ndsu.edu)

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

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	X			Adherence to federal requirements for the responsible and ethical conduct of research creates and culture of compliance and helps to prepare our student researchers for their upcoming careers.
The <i>economic</i> impact on students, staff, faculty, others was considered.	X			There should not be an economic impact on potential disclosers. Compliance with federal agency policy allows NDSU to remain competitive for federal grants.
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).			X	
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).			X	
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			Gender pronouns are not used. We instead refer to "investigators" and "Spouse/ <u>partner</u> or <u>Child</u> ".
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			Consultation from the Conflict of Interest committee was sought. The COI committee is made up of both faculty and staff as well as 2 community representatives. Disclosure

				requirements typically do not apply to students unless they are named as a senior or key personnel on an applicable proposal.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.			X	
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X			Having a compliant COI policy allows NDSU to remain competitive for federal funding.
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.	X			Research Integrity and Compliance are responsible for tracking compliance with the policy.
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			NDSU has the necessary software and procedures in place to enforce, implement and apply the policy in a sustainable manner.

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

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

# North Dakota State University

## Policy Manual

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### SECTION 823

#### FINANCIAL CONFLICT OF INTEREST – PUBLIC HEALTH SERVICE, NATIONAL SCIENCE FOUNDATION, DEPARTMENT OF ENERGY, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, OR OTHER APPLICABLE SPONSORED RESEARCH

SOURCE: SBHE Policy Manual, Section 308.4  
NDSU President

#### 1. INTRODUCTION

- 1.1. ~~The US Public Health Service (PHS), National Science Foundation (NSF) and other applicable~~ Several Federal and non-federal sponsors require institutions to establish standards that promote the objectivity of research by ensuring that the design, conduct, and reporting of such research is free from any potential for bias resulting from Investigator financial conflicts of interest. Investigators should conduct their affairs as to avoid or minimize conflicts of interest, and must respond appropriately when conflicts of interest arise. Applicable sponsors include: The US Public Health Service (PHS), National Science Foundation, (NSF), Department of Energy (DoE), the National Aeronautics and space Administration (NASA) (for new and amended awards starting December 1, 2023), and several other agencies which have adopted the PHS Guidelines.
- 1.2. This policy governing financial conflict of interest applies to all Investigators funded by, or submitting proposals for funding to, any agency of the PHS, except for Small Business Innovation Research (SBIR) Program Phase I applications. This SBIR exclusion does not apply to investigators submitting proposals to NSF. Investigators are required to disclose any external financial interests related to their NDSU responsibilities for review, and any required management, to ensure the design, conduct or reporting of the research is not biased by a financial conflict of interest. Investigators of sponsored projects funded by any other external agency are referred to [NDSU Policy 151.1, External Activities and Conflicts of Interest](#) to address conflicts of interest, including financial.

#### 2. DEFINITIONS

- 2.1. **Family member:** ~~any member of the Investigator's immediate family, including spouse, domestic partner, parents, siblings, and children~~ includes the investigator's spouse/partner or dependent children.
- 2.2. **Financial Conflict of Interest (FCOI):** a Significant Financial Interest (SFI) that the University reasonably determines could directly and significantly affect the design, conduct or reporting of NDSU research.
- 2.3. **Investigator's Institutional Responsibilities:** the Investigator's responsibilities associated with his or her institutional appointment or position, such as research, teaching, clinical activities, professional practice, institutional committee memberships and service on panels, such as an Institutional Review Board.
- 2.4. **Investigator:** the project director (PD)/principal investigator (PI), co-PD/co-PI and any other person, regardless of title or position, who is responsible for the design, conduct or reporting of research (PHS/DoE) or research or educational activities (NSF) funded by the PHS, NSF or other



[applicable](#) sponsors, or proposed for such funding, which may include collaborators or consultants.

2.5. **Significant Financial Interest (SFI):** anything of monetary value received or held by an Investigator or a Family member, whether or not the value is readily ascertainable, that reasonably appears to be related to the Investigator's Institutional Responsibilities. (Note: this exceeds the definition of SFI in [Policy 151.1](#)). SFI includes:

- 2.5.1. Salary or other payments for services (e.g., consulting fees, honoraria, or paid authorships for other than scholarly works) when the aggregated value received from a *publicly traded* entity during the 12 month period preceding the disclosure, and the value of any equity interest during the 12 month period preceding or as of the date of disclosure, exceeds \$5,000; or
- 2.5.2. Salary or other payments for services, when the aggregated value received from a *non-publicly traded* entity during the 12 month period preceding the disclosure exceeds \$5,000; or
- 2.5.3. Equity interests (e.g., stocks, stock options, or other ownership interests) in a non-publicly-traded company of any value during the 12 month period preceding or as of the date of disclosure; or
- 2.5.4. Income related to intellectual property rights and interests (e.g., patents, trademarks, service marks, and copyrights) not reimbursed through NDSU; and
- 2.5.5. Reimbursed or sponsored travel that is related to Investigator's Institutional Responsibilities. This includes travel that is paid on behalf of the Investigator rather than reimbursed, even if the exact monetary value is not readily available. It excludes travel reimbursed or sponsored by U.S. Federal, state, or local governmental agencies, U.S. institutions of higher education, research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers.

SFI does NOT include:

- 2.5.6. Salary, royalties, or other remuneration from NDSU;
- 2.5.7. Income from the authorship of academic or scholarly works;
- 2.5.8. Income from seminars, lectures, or teaching engagements sponsored by or from advisory committees or review panels for U.S. Federal, state or local governmental agencies; U.S. institutions of higher education; U.S. research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers; or
- 2.5.9. Equity interests or income from investment vehicles, such as mutual funds and retirement accounts, so long as the Investigator does not directly control the investment decisions made in these vehicles.

### 3. INVESTIGATOR REQUIREMENTS

- 3.1. Investigators must disclose all Significant Financial Interests (SFI) related to their Institutional Responsibilities (or certify no SFI) by completing ~~the [Significant Financial Interest \(SFI\) Disclosure Form](#)~~ [the Annual COI Disclosure in Novelution](#).

- 3.1.1. Prior to submitting a proposal to an applicable agency, Investigators must have a current (within the last 12 months) ~~SFI-COI Disclosure Form on file with the Research Integrity & Compliance office in Novelution.~~
- 3.1.2. Annual disclosure. Investigators participating in ~~PHS, NSF or other sponsor research~~ funded ~~research by an applicable sponsor~~ are required to submit an updated disclosure at least annually by submission of the ~~SFI-COI Disclosure Form~~. New investigators must disclose within 30 days of their initial appointment or employment. The disclosure must be reviewed, managed, and reported to ~~PHS, NSF the funding agency or other sponsor~~ by Research and Creative Activity (RCA) when necessary, within 60 days of employment.
- 3.1.3. Updating SFI Disclosures. Investigators participating in, or applying ~~for PHS, NSF or other sponsor-funded research~~ to an applicable agency are required to ~~submit an updated~~ update their Annual -disclosure COI disclosure within 30 days of discovery or acquisition (e.g., through purchase, marriage, or inheritance) of a new SFI. The disclosure must be reviewed, managed, and reported to ~~PHS, NSF or other sponsor~~ the sponsor by RCA when necessary, within 60 days of identification.
- 3.1.4. Travel. Investigators participating in, or applying for PHS, NSF or other applicable sponsor-funded research are also required to disclose any reimbursed or sponsored travel related to their Institutional Responsibilities as defined under 2.3 above. Such disclosures must include, at a minimum: the purpose of the trip, identity of the sponsor/organizer, destination, duration, and monetary value, if known. The administrative head determines if additional information is needed (e.g., the monetary value if not already disclosed) to determine whether the travel constitutes a FCOI with the Investigator's Research.

#### 4. REVIEW OF ~~SFI-COI~~ DISCLOSURE

- 4.1 The University Conflict of Interest Committee (COIC) shall be responsible for (a) reviewing ~~SFI significant financial interests as well as other relationships/activities related to the discloser's professional responsibilities~~ and (b) developing, approving, and monitoring plans to manage or eliminate FCOI. The COIC's Procedures are available on the [NDSU COI website](#).

#### 5. TRAINING

- 5.1. Investigator training on FCOI, this policy, and their responsibilities regarding disclosure of SFI is:
  - 5.1.1. recommended prior to submitting a research proposal to ~~the PHS, NSF or other sponsors~~ an applicable sponsor;
  - 5.1.2. required prior to expenditure of ~~PHS, NSF or other sponsored funds~~ from an applicable sponsor; and
  - 5.1.3. required every 4 years during the period of award;
  - 5.1.4. Online training modules shall be completed via the CITI program ([www.citiprogram.org](http://www.citiprogram.org)).

#### 6. SUBRECIPIENT REQUIREMENTS

- 6.1. ~~PHS, NSF and other sponsors~~Applicable sponsors require the awardee institution take reasonable steps to ensure that any subrecipient complies with FCOI requirements.
- 6.1.1. Subrecipient awards must specify whether the FCOI policy of NDSU, or that of the subrecipient will apply to the subrecipient's Investigators.
- 6.1.2. When the subrecipient's Investigators must comply with the subrecipient's FCOI policy, the subrecipient award will certify that the subrecipient's policy complies with ~~PHS, NSF or other sponsor~~the applicable sponsor's regulations, and specify the time period to report all identified FCOI to NDSU, in sufficient time to allow NDSU to report any FCOI to PHS, NSF or other sponsors prior to expenditure of funds by subrecipient.
- 6.1.3. When the subrecipient's Investigators must comply with NDSU FCOI policy, the subrecipient award will specify the time period to report all SFI disclosures to NDSU, in sufficient time for review, management and reporting of any FCOI to ~~PHS, NSF or other~~the sponsors prior to expenditure of funds by subrecipient. In such a case, the subrecipient disclosure and review will follow the same process required by NDSU Investigators in Section 3 and 4.

## 7. RECORD KEEPING

- 7.1. Research Integrity & Compliance ~~will be~~is responsible for maintaining records related to all ~~SFI~~ disclosures, associated reviews and actions (whether or not a disclosure resulted in a determination of a financial conflict of interest), reporting/updating information, etc.

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### HISTORY:

New	June 1995
Amended	October 1997
Amended	August 2007
Revised	August 23, 2012
Amended	May 3, 2017
Amended	February 13, 2019
Housekeeping	February 15, 2022
Amended	May 13, 2022

## Policy Change Cover Sheet

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



*If the changes you are requesting include housekeeping, please submit those changes to [nds.scc@nds.edu](mailto:nds.scc@nds.edu) first so that a clean policy can be presented to the committees.*

### SECTION:

### 361 EMERITUS/EMERITA TITLES

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:

Changes are being requested to update the Policy to define privileges as emeritus. In addition, process and eligibility has been updated.

Update 12/6/2021: Staff senate requested changes be incorporated to also include staff/administrators: Section 4, 4c, and 6; clarified section 4c, library privileges to align with HR Retirement Planning page.

Update 4/13/2022: See attached memo explaining further suggestions for change.

Update 12/12/22: Faculty Senate requested the addition of item under 'Privileges' having to do with service on PTE committees

Update 3/4/2024: President Cook requested the following change in the first Sentence of Section 4 to read:

"Faculty, staff, and administrators who are granted emeritus status are afforded certain privileges as outlined below. Participation in subsections (j), (k), (l), (m), (n), (o), (r), (s) and (v) require establishing a new employment relationship with NDSU which must be approved by the provost or vice president, as appropriate."

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

- Office/Department/Name and the date submitted: Faculty Affairs V5 3/26/2024
- Email address of the person who should be contacted with revisions: [jeffrey.s.johnson@nds.edu](mailto:jeffrey.s.johnson@nds.edu)

*This portion will be completed by Ann Fredrickson.*

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

SECTION 361  
EMERITUS/EMERITA TITLES

SOURCE: SBHE Policy Manual, Section 430.2

1. Eligibility. Faculty, senior administrators, and professional staff are eligible for emeritus status who has been employed at NDSU for at least ten years following at least ten years of employment at NDSU. Employees who choose early retirement are eligible for emeritus status. If approved, the term "emeritus" will modify the final title held by the employee prior to retirement.
2. Process. A nomination request for emeritus status must be made, should be made to the unit in which the employee is housed within one year of retirement. If approved, the unit in which the employee is housed will recommend emeritus status to the unit's supervisor; the unit supervisor will then forward the request to the appropriate Dean or Vice President with a recommendation to either approve or deny the request. If the Dean or Vice President denies the request, no further action will be taken. If the Dean or Vice President approves the request, the request will be forwarded to the appropriate President's designee for final approval. The appropriate designee will notify the President of employees granted emeritus status.
3. Evaluation. Evaluation criteria will include length of service to the institution; significance of contribution to the department, college, NDSU, or State of North Dakota; degree of eminence of scholarly or creative works or significant service contributions.  
Candidates must have been employed at NDSU for a period of at least ten years to be considered.
4. Privileges. All faculty who attain the rank of Faculty, staff, and administrators administrators who are granted emeritus faculty status are afforded certain privileges as outlined below. Participation in subsections (j), (k), (l), (m), (n), (o), (r), (s) and (v) require establishing a new employment relationship with NDSU which must be approved by the provost or vice president, as appropriate.:
  - a. Free/reduced cost parking pass;
  - b. University ID card;
  - c. All library privileges granted to regular Faculty/Staff;
  - d. Wellness Center membership at same rate available to regular Faculty/Staff;
  - e. Free MATBUS;
  - f. NDSU e-mail account (including internet access); NDSU email account (including internet access);
  - g. Office, laboratory space, and/or support staff, as available (Department and College approval required);

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- h. Participate in campus convocations, commencements, and other academic endeavors with Department and College approval;
- i. Name maintained in campus catalog/directory;
- j. Eligible to serve as principal investigator on internally or externally funded research projects consistent with the policies of the NDSU Sponsored Programs Administration (Department and College approval required);
- k. Eligible to serve as a co-investigator or a collaborator on internally or externally funded research projects consistent with the policies of the NDSU Sponsored Programs Administration (Department and College approval required);
- l. Eligible to collaborate or co-investigate with researchers from other Universities on internally or externally funded research projects consistent with the policies of the NDSU Sponsored Programs Administration (Department and College approval required);
- m. Eligible to serve as graduate student advisor/co-advisor/committee member (Department and Graduate School approval required);
- n. Eligible to recruit a full-time or part-time research technician to work on a project that is supported by intramural or extramural funding for which the emeritus faculty serves as a PI (approval by the Department, College and/or HR is required);
- o. Eligible to mentor or co-mentor junior faculty members in research, teaching and service as assigned/approved by the Department and College;
- p. Attend, without vote, meetings of their Department and College (at the invitation of Department and/or College);
- q. Eligible to serve as a voting nonvoting member on any University committee (recommendation or approval by the Department/College is required);
- r. Eligible to serve on inquiry committees related to cases of Academic Misconduct, as outlined in policy section 326 at the Request of the Provost;
- s. Eligible to serve on departmental Promotion, Tenure and Evaluation committees, if permitted by Department and College policy (as outlined in policy 352);
- t. Eligible for academic pricing on technology purchases through the University Bookstore, including all sales and promotions available to regular Faculty/Staff
- a. Eligible for discounted/free attendance at regular (excluding special events) annual ensemble performances (concert choir, jazz, wind symphony, etc.);
- u.
- b. Permission to audit graduate or undergraduate level courses, subject to the Instructor's approval and relevant University policies and procedures (see <https://bulletin.ndsu.edu/academic-policies/project65/>);

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v. Eligible to teach university courses in their area of specialization, subject to the request of the Department and College upon approval by the Provost approval.

5. Responsibilities. Recipients of emeritus status are expected to abide by the Code of Conduct applicable to regular faculty, administrators, and professional staff as outlined in Policy 151, and to assist and support the University in their areas of competence, particularly in an advisory capacity.

6. Individual academic units may enact policies that allow emeritus faculty, staff, and administrators additional rights and responsibilities beyond those outlined in sections 4 and 5.

HISTORY:

Amended	September 16, 1983
Amended	September 1998
Amended	February 2006
Amended	November 21, 2016

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## Policy Change Cover Sheet

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

\*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to [ndsuscc@ndsu.edu](mailto:ndsuscc@ndsu.edu).

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

**Policy Number and Name:** **NDSU Policy 322. Equitable and Transparent Faculty Workloads**

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):

**The goal of this policy is to establish a university-level equitable workload policy. The policies primary function is to set the expectation that each unit must establish a unit-specific equitable workload policy in the near future. In addition, the proposed policy provides some basic guidelines about what type of information should be included in each unit's equitable workload policy.**

**Major changes to this version of the policy include changing the base teaching load from 2 courses per semester to a minimum of 12 credits across the academic year, and strengthening sections about what can count towards those credits (not just teaching didactic courses), as well as strengthening language to ensure that decisions about faculty workloads are primarily made at the unit (i.e. department or school) level.**

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

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

Individual/Department/Committee or Organization submitting the policy change: Office of the Provost

Date Submitted to SCC Secretary: 7/24/2024

Email address of the person who should be contacted if revisions are requested: Erin.Gillam@ndsu.edu



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

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

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

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

### SECTION 322

#### EQUITABLE AND TRANSPARENT FACULTY WORKLOADS

SOURCE: NDSU Office of the Provost

Faculty perform a wide variety of tasks determined by the requirements of their discipline and by the mission of the University. The purpose of this policy is to establish a fair, equitable, and transparent allocation of workload among all non-administrative full-time faculty, including tenure-line faculty, professors of practice, and lecturers of all ranks. This policy sets the expectation that academic units will develop and maintain a workload assignment plan that is tailored to their unit and recognizes the types of teaching, research/creative activity, and service duties performed by full-time faculty within their unit.

#### 1. *Definitions.*

- 1.1 *Equitable Workloads.* Workload assignments that are fair and balanced across faculty members within a unit.
- 1.2 *Teaching.* Faculty teaching workload includes all types of formal class instruction, from undergraduate through graduate levels; course preparation and curriculum development and improvement; laboratory, studio, office, and clinical contact hours; informal non-classroom teaching; undergraduate and graduate student academic, research, and career advising and mentoring; internship, student research, graduate assistant, and postdoctoral fellow supervision; professional development; and other activities as specified under Policy 352
- 1.3 *Base Teaching Load.* Refers to the standard number of credits a faculty member is expected to fulfill in an academic year. Activities that count towards the base teaching load are listed in Section 1.2. Unit-level policies must include information about credit equivalencies and expectations of the primary activities that should be incorporated into a faculty member's base teaching load (See Section 6).
- 1.4 *Research and Creative Activity.* Faculty scholarly activity workload includes research and/or creative activities as specified under Policy 352.
- 1.5 *Service.* Faculty service workload includes internal service, or work on behalf of colleagues, students, and University units; external service activities performed by faculty on behalf of the general public; professional activities; and other activities as specified under Policy 352.

- 2. Each academic unit must develop, define, and communicate a typical workload assignment plan for faculty teaching, research/creative activity, and service consistent with this policy and Policy 352. The workload policies must include workload assignments for all possible types of full-time faculty appointments and ranks within a unit, including tenure-line faculty (assistant, associate, and full professors), lecturers, senior lecturers, and professors of practice (assistant, associate,

and full). The development of the unit workload assignment plan must be a collaborative effort between faculty and unit administration. Units must consider that not all assignments for a specific type of activity are equal.

2.1 *Exceptions.* Faculty granted child-bearing leave or modified duties under Policy 320 and those provided disability accommodations under Policy 168 are exempt from minimum workload requirements.

3. All academic unit workload assignment plans must be approved by the unit faculty, unit Chair/Head, College Dean, and the Office of the Provost/Faculty Affairs. Rejections of workload policies above the unit level must be justified by explaining how the draft unit policy does not align with this policy or Policy 352. The underlying principle is that units should be primarily responsible for interpreting how this policy applies to the workloads of their faculty.
4. The workload assignment plans and practices shall ensure that full-time faculty have rank-appropriate, comparable workloads within a unit. When inequitable workloads arise, it shall be the responsibility of the Dean to work with the unit to rectify the inequality.
5. *Base Teaching Load.* The base teaching load for tenure-line faculty is a minimum of 12 credits per academic year (August 16 – May 15).
6. The University recognizes that the specific contributions of tenure-line faculty members to a unit's mission will vary depending on individual disciplines, strengths, career stage, performance, or unit needs. The University also recognizes that faculty have different % research, teaching and service appointments in their position descriptions and that their salaries are funded by different sources. As a result, the distribution of credits across the teaching activities listed in Section 1.2 and how the number of credits scale with % teaching load in an individual's position description must be specified by the unit workload policy. Individual units are also responsible for developing credit equivalencies that are appropriate for their unit (e.g. value of graduate research credits vs. didactic course credits vs. other teaching activities listed in Section 1.2).
7. *Course cancellations.* Minimum course enrollments for undergraduate and graduate courses are set by the Office of the Provost (<https://www.ndsu.edu/provost/>). Each unit's workload assignment plan must include a list of potential options for faculty if a course is cancelled due to low enrollment. This plan can include assigning tasks related to teaching, mentorship, and outreach beyond classroom instruction.
8. *Overload assignments.* Overloads must be approved by unit head and dean. Faculty with overload assignment contracts must continue to fulfill base teaching load obligations.
9. *Reassignment of load.* The unit workload assignment plan shall include the circumstances that justify, and the process for addressing, variation from the typical workload for faculty.
10. *Joint or shared appointments.* For faculty who hold joint or shared appointments, care must be taken to ensure that their teaching, research/creative activity, and service workload is commensurate with that of faculty on single appointments in corresponding disciplines. Workloads would typically be assigned by the primary unit (where the majority or plurality of the appointment is assigned) with input from the secondary unit(s). The unit leaders of the

primary and secondary appointment must collaborate on and document the workload assignment for faculty with joint or shared appointments.

11. *Course buy-out.* With approval of unit head, a faculty member may use grant funds to buy out from their teaching load. The cost of the buyout is equal to the faculty member's salary times the proportion of the workload that is bought out.
12. Appeals of individual workload assignments are made by requesting a reconsideration first by the unit Chair/Head, then, if needed, by the college Dean. If not satisfied, after consultation with Office of the Provost/Faculty Affairs, the faculty member may initiate the grievance process pursuant to Section 353 of the Policy Manual.

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HISTORY:

New  
Failed Faculty Senate – November 2023