University Senate Meeting Minutes
September 12, 2005


Reminder: Current senators may not serve as substitute for other senators.

Previous Minutes
Minutes of the May 9, 2005, meeting were approved by consensus.

General Announcements

1. Provost and Vice President Schnell:

   - Reaccreditation (NCA) – Out of nine chapters, four have been completed and are posted on the web. Senators and others are encouraged to review them and provide feedback to Steve Bergeson, chief editor, or Robert Harrold, committee chair. The reaccreditation site visit is scheduled for February 13-16, 2006.

   - Official enrollment figures are still being analyzed. Discrepancies have been noted and are being resolved. NDSU’s enrollment will be higher than the previous year.

   - Very few problems or complaints regarding classes (availability) were reported this fall.

   - Provost Schnell is serving on a state-wide committee to further study equity and determine the allocation of $2 million for NDUS institutions. The deadline for a decision on this distribution is scheduled for February.

   - NDSU will retain its Institutional GPA as its functional cumulative grade point average. Prior reports indicated that this would be lost in favor of a cumulative GPA with transfer credit because of a statewide effort to standardize academic practices and policies at NDUS institutions. While NDSU did not lose its institutional GPA after converting to PeopleSoft, other NDUS schools were adversely impacted, resulting in additional consultant fees for the state and those institutions.
• Promotion and Tenure- documents will be reviewed with a March deadline. Revisions to Section 352: Promotion, Tenure, and Evaluation will be made in 2006-2007.

• Sarah Beck, student, has been working with the NDSU Alumni Association on NDSU license plates. Beck reported that the cost will be $15, with some of the profits to benefit NDSU.

• Desire to Learn (D2L) is no longer required as the standard learning management system on campus, but will remain an option. NDSU is committed to continuing to use BlackBoard as the primary LMS.

2. Presiding Officer Council:

• Presented the Senate Executive Committee membership and promoted the University Senate web site (http://www.ndsu.edu/ndsu/deott/univ_senate/), which includes meeting dates for the current academic year.

• Council commended the Music Department’s fundraising event for victims of Hurricane Katrina. John Miller, Division of Fine Arts, explained how the event came together between local bands and New Orleans musicians. The event is anticipated to net $6,500-7,000 for relief efforts. Miller also reported how this event resulted in a master class with music students as well, leading to the creation of a new program to hold convocations with outside artists.

Council also thanked Student Senate President Kevin Teigen for his role in helping NDSU raise over $16,000 for the American Red Cross at the opening Bison football game.

• Reported that the role of University Senate is to conduct business efficiently, and plans to adjourn each meeting by 5 p.m.

• Established a University Senate e-mail list to communicate with senators and conduct business, such as preliminary discussion of agenda items. The list address is su-senate@listserv.nodak.edu. All who are not receiving postings to this list should request they be added.

• Announced other housekeeping matters:
  -In most cases, he does not plan to call for discussion three times before a vote is cast;
  -If a verbal vote is unanimous, PRS units will not be used;
  -Nomenclature – the presiding officer and presiding officer-elect of University Senate will be referred to as the President and President Elect of University Senate.

• Service will be the focus of President Council’s tenure in office. He reported findings from an ad-hoc committee formed by President Harter last year (Slobin, Barnhart, Rider). Numerous issues will continue to be explored, including full and associate professors’ service on committees and projects; role of service provided in work agreements; the differences among colleges for recognition of service; awards for service; and merit increases for service. He plans to study the role and rewards of service for all faculty in all colleges. Deans and department heads/chairs will be surveyed by telephone regarding their opinions and expectations regarding service. These data will guide policy recommendations regarding the assignment, evaluation and reward of faculty service. Parliamentary Procedures:
Parliamentarian Dennis Cooley presented a tutorial on Parliamentary Procedure using Robert’s Rules of Order (see University Senate web site at http://www.ndsu.edu/ndsu/deott/univ_senate/).

3. President’s Diversity Council (http://www.ndsu.nodak.edu/diversity/documents.php):

Gene Berry, Senate president-elect and Diversity Council member, provided an overview of the President’s Diversity Council Strategic Plan (available on web site). The presentation included objectives, action steps, responsibilities, next steps, and an evaluation plan. Provost Schnell encouraged feedback from senators and the entire campus community. Brief discussion was held on the mental ability language of the plan.

Committee Reports

1. Academic Affairs – D. Meyer, chair

D. Meyer, chair, introduced five new Transportation and Logistics (T&L) courses as part of the recently approved Master of Military Logistics degree in Transportation and Logistics (Attachment 1): MOTION (Berry/Teigen): to approve the Academic Affairs report as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

2. Policy Coordinating Committee - E. Berry, chair

A. Policies presented for Information only:

- 129: Salary Administration Policy (Attachment 2)—Removes the salary ranges in section 6. Also includes housekeeping changes to reflect new titles of Human Resources/Payroll Office and the Office of Equity and Diversity.

- 150: Commercial and Fund-Raising Activities (Attachment 3)—Updated the Code of Student Behavior to include the Wellness Center and “all other areas” of campus.

- 154: Distribution of Literature (Attachment 4)—Language has been added to the Code of Student Behavior regarding distribution of literature in classrooms and at scheduled meetings and events.

- 212: Overtime (Attachment 5)—Adds language in section 4 regarding working from home when on-call. Also includes some housekeeping changes that reflect the new title of the Human Resources/Payroll Office.

- 241: Position Classifications (Attachment 6)—Removes pay ranges in section 1 to mirror the NDUS HR Policy Manual, Section 14. Also includes housekeeping changes that reflect the new title of the Human Resources/Payroll Office.
350.1: Board Regulations on Academic Freedom and Tenure; Academic Appointments (Attachment 7)—Change to NDSU interpretation language in subsection 6 to better reflect current procedures. Most of the information given to new faculty is on-line, with limited hard-copy information. Directions provided as to where new faculty may locate policies online.

515: Travel (Attachment 8)—Changes needed for compliance with ND Century Code changes to employee lodging, mileage and meal reimbursement rates.

718: Public/Open Records (Attachment 9)—Changes necessary due to changes in SBHE 1912 as a result of 2005 legislative changes from HB 1286 to the open records law.

350.3: Board Regulations on Nonrenewal; Termination or Dismissal of Faculty (Attachment 10)—Changes to timeline and sanctions are based on changes to SBHE Policy 605.3. Discussion: Still seeking a clear definition of sanction.

B. Policies presented for Consideration:

323: Selection of Textbooks and Other Curricular Materials (Attachment 11) --Prevents an author from personally receiving royalties from their texts/course materials used in a class that they teach. Discussion on why/when other groups (non-departments) language was removed. MOTION (Hauck/Pinkston): to approve changes to Policy 323. Discussion ensued on what is driving this change, and whether the royalty would come off of an author’s profits or directly from a publisher.

MOTION TO AMEND (Hannon): that royalties or other income received by instructor may be placed with the department or assigned to another charitable organization at the author’s suggestion. MOTION TO REFER (Schnell/Hatterman-Valenti): the proposed amendment to the University attorney for an opinion on the inclusion of charitable organizations. MOTION TO REFER AMENDMENT TO LEGAL COUNSEL PASSED WITH UNANIMOUS CONSENT.

337: Grade Appeals Board (discussion only) (Attachment 12)—Changes include a more detailed process for grade appeals and a provision for under extraordinary circumstances (such as a clear injustice or a mistake), a department chair, with the approval of the dean of the college, may change a grade without the instructor’s approval.

Provost Schnell recommended the inclusion of the following language be incorporated into the policy revisions: “A memo of record explaining why a grade was changed be filed in the student’s permanent academic record in the Office of Registration and Records.” This policy will be brought back to the Senate for a vote.

C. Minor edits and housekeeping details were made to approximately 32 policies and were not discussed at Senate. (Attachment 13).
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Unfinished Business (to be considered at the October meeting)

- Vertical writing requirement (Attachment 14)
- Assessment of advising (refer to May 9, 2005, meeting minutes)

New Business

A. Resolution: Change in ‘Statement of Affiliation Status’ from Higher Learning Commission (Attachment 15):

Provost Schnell presented a resolution that NDSU be authorized to offer degree and certificate programs by distance delivery. MOTION (Schnell/D. Miller): to approve the resolution. Schnell reported that this has been requested by and granted to other North Dakota institutions. MOTION PASSED WITH UNANIMOUS CONSENT.

B. Confirmation of Spring, 2005 graduates (Attachment 16) and Summer, 2005 graduates (Attachment 17):

MOTION (Terbizan/Peterson): to approve the confirmation of graduates. MOTION PASSED WITH UNANIMOUS CONSENT.

C. PeopleSoft Student Records:

Kristi Wold-McCormick provided a brief update on registration and changes with the new Campus Connection (PeopleSoft) student information system.

D. Senate Membership and Standing Committees:

Wold-McCormick encouraged senators to review the 2005-2006 University Senate standing committee and membership lists posted at www.ndsu.edu/ndsu/deott/univ_senate/sm200506/committees.pdf. Notify her of any updates as soon as possible.

E. Senators arriving late (after the check-in table is no longer staffed) may sign in at the parliamentarian/secretary table at the close of University Senate meetings.

F. Campus Smoking Policy:

Janine Trowbridge, president of Staff Senate, requested that University Senate join Staff Senate and Student Senate in developing a joint smoking policy at NDSU. Reports have been made that smokers stand in doorways of buildings and near clean air exchange systems. The intent of a smoking ban is to show consideration to non-smokers by developing reasonable solutions. Smoking policies from other campuses were distributed for review (Attachment 18). Council recommended initiating discussion on this matter via the University Senate e-mail list.

Adjournment

The meeting adjourned at 5 p.m.
Submitted,
Kristi Wold-McCormick, Ph.D.
### Approved Curricular Recommendations

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POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 129 - Salary Administration Policy

Change from NDUS HR Policy Manual, Section 5. Removes the salary ranges in section 6. Also includes some housekeeping changes that reflect the new titles of the Human Resources/Payroll Office and the Office of Equity & Diversity.

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

Policy Coordination Committee – 8/18/05
Staff Senate –
University Senate –
President’s Council –

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

Office of Human Resources/Payroll (8/12/05)

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SECTION 129: SALARY ADMINISTRATION POLICY

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

1. Philosophy and Objectives

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

first, be responsive to market influences with consideration for internal equity (see Definitions portion of this policy);
second, recognize different performance levels among employees;

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

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

2. Methods and Guidelines

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

2.1 Salary adjustments are divided into two main categories:

a) annual budgeted salary adjustments and

b) other salary adjustments.

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

a) President's Office provides any relevant legislative or Board directives regarding salary adjustments after consultation with the NDUS office staff and the Chancellor's Cabinet.

b) The President and Vice Presidents determine priority needs of the institution that require use of salary dollars (faculty promotions, new positions and/or reallocations) based on information from sources such as deans, directors, department chairs, the Office of Human Resources/Payroll, the Office of Equity & Diversity, the Presiding Officer of the University Senate, the President of the Staff Senate, the Program Review Committee, and Planning, Priorities and Resources Committee.

c) The President and the Vice Presidents establish guidelines, using institutionally recognized market and internal equity data and input from the campus community. They communicate the guidelines to be used in making adjustment
decisions, indicating the proportion of salary dollars allocated to each type (see Definitions). These types and proportions are determined according to institutional needs and initiatives whenever campus-wide adjustments are possible.

d) Once the types and proportions have been determined, the President and Vice Presidents allocate remaining salary adjustment pools to their respective administrative units.

e) Unit administrators, using the guidelines established by the President and Vice Presidents, allocate the salary pools within their units.

f) Within the units, each administrator/supervisor develops individual salary adjustment recommendations using performance documentation and other data appropriate to that year's guidelines (institutionally recognized internal equity or market studies, for example).

g) Unit administrators review and discuss recommendations and documentation for the recommendations (performance documentation, institutionally recognized market or internal equity data) with the administrator/supervisor, adjust the recommendations and/or forward the recommendations to the appropriate vice president.

h) Prior to recommending the final salary adjustments to the President, each Vice President will consult with the Director of Human Resources/Payroll and/or the Director of Equity & Diversity to review implications of the recommended adjustments for the campus as a whole. The role of the Directors is to advise the Vice Presidents on whether there is appropriate documentation for the adjustment, the potential impact on equity generally or whether the proposed adjustment is in compliance with policy.

i) President presents the budget including salary adjustments to the Chancellor.

j) Following SBHE approval of the budget, administrators/supervisors, when possible, will inform each employee of his/her salary for the coming fiscal year and the basis for the salary decision prior to the distribution of the University's annual salary notifications.

2.1.2 Other salary adjustments include post-probationary adjustments for staff, job family or band reassignment adjustments (if applicable), promotions (nonfaculty), market, internal equity and responsibility adjustments including interim appointments and significant administrative assignments (see Guidelines for Other Salary Adjustments portion of this policy.).
3. **Process for Impartial Review of Salary Adjustment Decisions**

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

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

a) **Staff employees**: NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment.

b) **Faculty**: NDSU Policy Manual, Section 353, Grievances - Faculty. This grievance procedure is available to instructors, assistant, associate and full professors, lecturers and graduate teaching assistants.

c) **Nonfaculty, nonbanded employees**: NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment. The Staff Personnel Board described in Step 4 will consist of other nonfaculty, nonbanded employees.

3.2 The second is available to **any employee** when his/her salary decision is alleged to have been made on the basis of an employee's race, color, religion, national origin, sex, disability, age, Vietnam Era Veteran's status, sexual orientation, status with regard to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer: NDSU Policy Manual, Section 156, Equal Opportunity Grievance Procedures.

4. **Distribution and Communication of the Policy**

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

5. **Definitions**

At NDSU, annual salary adjustments are based on one or more of the following:
5.1 **Cost of living adjustment** is an across-the-board amount related to--but not necessarily the same as--the changes in the cost of living (determined by the Consumer Price Index which reflects the changes in the cost of various consumer items during the previous 12 month period). Cost of living adjustments become part of an individual's salary base.

5.2 **Internal equity** is a comparison of salaries for similar positions at NDSU (or in the University System and/or State government when there is a limited basis for comparison at NDSU) based on appropriate and relevant data including these factors: **previous related experience** outside the university, a sustained change in **responsibility** that is more or less than what is considered normal for that type of position, **education**, or **responsibility level** within a group of similar positions at NDSU. Internal equity adjustments become part of an individual's base salary. **NOTE:** **length of service** is relevant for internal equity ONLY in the context of performance; that is, consideration of performance should override length of service in salary decisions.

5.3 **Market or external equity** is the comparison of NDSU salaries with those of other employers in the applicable recruitment area based on bona fide and relevant data. While NDSU may recruit nationally to fill a position, the salary may be established by using institutionally recognized, regional data. Market or external equity adjustments become part of an individual's base salary.

5.4 **Performance adjustment** is one based on level of performance identified through documentation, including an established review process. Performance adjustments may be made in one of two ways:

a) As a one-time payment when performance has been **exceptionally meritorious in the preceding year**. This type of adjustment does not become part of the salary base and is made as a single payment. The source of salary funding may dictate the availability of this option.

b) As a range of adjustments based on **sustained** meritorious performance. This type of adjustment becomes a part of the salary base.

6. **Guidelines for Other Salary Adjustments**

   All staff positions are assigned to a band. The bands include job families with market levels for each position. (NDUS Human Resource Policy Manual 5.1)
Individual salary adjustments may be made throughout the year for the following reasons:

6.1 **Post-probationary adjustments for staff.** Upon successful completion of the initial six-month probation period an employee may be eligible for a salary adjustment up to 5%. The amount of the adjustment may vary, depending on such factors as performance, internal equity, initial salary and budget. A responsibility review form must be completed and submitted with the Institutional Form 101 requesting approval of the probationary adjustment (NDUS Human Resource Policy Manual 5.1.3).

6.2 **Nonbanded staff.** When an employee moves from one position to another involving an increased level of responsibility, the employee may receive a salary adjustment appropriate for the new level of responsibility. The adjustment must be consistent with internal equity and market and is subject to approval of the appropriate dean/director, vice president and the President.

6.3 The equity adjustments for staff are normally limited to ten percent but may exceed that amount with supportive documentation (NDUS Human Resource Policy Manual 5.1.6).

6.3.1 **Equity adjustments.** On a case-by-case basis, significant internal inequities may arise outside the annual salary review process described in 2.1. In these unusual situations, a request for an adjustment may be initiated. Factors generally considered are directly related experience, job performance and level of responsibility. The decision to request an equity adjustment should include consultation with the Office of Human Resources/Payroll and/or the Director of Equity & Diversity, whichever is appropriate, and appropriate documentation should accompany the Institutional Form 101.

6.3.2 **Market adjustments.** A market adjustment is intended to mitigate a documented external inequity using North Dakota University System recognized market data. Market adjustments are normally limited to ten percent but may exceed that amount with supportive documentation and appropriate administrative approval. Market adjustment proposals must consider institutional internal equity.
6.4
**Responsibility adjustments** including interim and administrative appointments

6.4.1
Adjustments for substantial, documented reassignments or changes in the duties/responsibilities within the same position may be initiated after consultation with the appropriate vice president or president. Documentation should accompany the Institutional Form 101.

6.4.2
For staff employees, rationale will include changes in the level of responsibility as documented by a Position Description; and changes in band and/or job family.

6.4.3
Adjustments for interim appointments and administrative assignments are limited to the period for which these assignments are made and do not become part of the salary base. For staff interim appointments, increases should not be given for interim periods of less than thirty days and staff employees may not retain the higher compensation level for more than thirty days after the interim period ceases to exist. (NDUS Human Resource Policy Manual 5.1.3.1).

6.5
The **attainment of a degree or license** does **not** automatically result in a salary adjustment. In some cases an adjustment for market and/or internal equity may be appropriate. Such adjustments should be recommended on the basis of the same type of documentation required for other market or internal equity adjustments.
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   Section 150: Commercial and Fund-Raising Activities

   This section of the Code of Student Behavior has been revised and updated to include the Wellness Center and “all other areas” of campus.

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

   Policy Coordination Committee: 7/21/05; 8/15/05
   University Senate:
   Staff Senate:
   Student Senate/Executive Board:
   President’s Council:
   Forwarded to General Counsel and President:

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

   Code of Student Behavior Revision Committee: 3/9/05
   Office of the Dean of Student Life: 3/9/05
   General Counsel: 4/19/05 (as part of the entire Code of Student Behavior)
   Vice President for Student Affairs: 5/6/05

SECTION 150: COMMERCIAL AND FUND-RAISING ACTIVITIES
SOURCE: Rights and Responsibilities of Community: A Handbook of Student Policies

2. 1. Recognized student organizations must register fundraising activities with the Associate Director of Memorial Union/Student Activities at least two (2) weeks prior to advertising or initiating fundraising efforts.

   Activities or items associated with fundraisers must be consistent with University policies.

   Student organizations may use university facilities for sponsoring events at which an admission is charged or donations are solicited, provided that the group has worked with appropriate departments in reserving facilities and coordinating activities. Facility rental fees may be assessed for events at which admission is charged.

   ↓ 2. Organizations not affiliated with NDSU and Individuals (regardless of affiliation with NDSU) may not advertise, sell, conduct a business, or raise funds on the campus or in university residences without first registering and receiving written permission from the following:
In all University apartments, from the Assistant Director for University Apartments and Residence Services. Commercial activities in public areas of University Apartments will not be allowed.

In residence halls, from the Associate Director of Housing and Residential Life. Commercial activities in public areas of residence halls will not be allowed.

In fraternity or sorority houses, from the president of the individual fraternity or sorority; permission will be limited to allowing commercial activities in public areas - not including rooms or corridors.

In Memorial Union, from the Memorial Union Director or the Director’s designee. Approval requires a confirmed reservation of space in the Memorial Union. Rental fees (if applicable) will be assessed for space utilized for these purposes.

In the Wellness Center, from the Wellness Center Director or the Director’s designee. In all other areas, please consult the Dean of Student Life Office for referral to the appropriate University official.

3. Parking Areas (Leaflets) Placing flyers or other leaflets on vehicles on the NDSU campus, including those in NDSU parking lots, is prohibited. Information left on vehicles will be removed and destroyed. If litter results from such activities, the sponsoring individual/group may be required to pick up discarded flyers or may be billed by the University for providing that service.

3. 4. Raffles or lotteries require a permit from the City of Fargo. Permit applications may be obtained from the City Auditor's office or the Memorial Union Student Activities Office.

HISTORY: July 1990, August 2005
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   **Section 154: Distribution of Literature**

   Language has been added to the *Code of Student Behavior* regarding distribution of literature in classrooms and at scheduled meetings and events (see #6).

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

   Policy Coordination Committee: 7/21/05
   University Senate:
   Staff Senate:
   President’s Council:
   Forwarded to General Counsel and President:

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

   *Code of Student Behavior* Revision Committee: 3/9/05
   Office of the Dean of Student Life: 3/9/05
   General Counsel: 4/19/05 (as part of the entire *Code of Student Behavior*)
   Vice President for Student Affairs: 5/6/05

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**SECTION 154: DISTRIBUTION OF LITERATURE**

**SOURCE:** Rights and Responsibilities of Community: A Code of Student Behavior Section 7.2 8.2 [or remove section reference?]

1. All individuals or organizations responsible for distribution of literature on campus must be identified on the literature.

2. All individuals or organizations distributing literature will be held responsible for cleaning up all litter resulting from its distribution. Clean-up costs will be assessed to any such person or group which does not clean up all such litter within a reasonable time.

3. Distribution by means involving shouting, pursuing, hawking, or accosting individuals is prohibited, as is any interference with normal University functions or interruption of the free flow of traffic, inside or outside a building.

4. Commercial literature may not be sold or distributed on campus unless the rules governing advertising in the NDSU Policy Section 150, Commercial and Fund-Raising Activities, have been followed. (These rules include prohibiting the placing of leaflets or flyers on cars on the NDSU campus.)
5. Any person or group of persons wishing to distribute literature to the public in the Memorial Union may use the following methods:
   a. literature racks located near the Service Center on the main level;
   b. contact tables in the main concourse area, available for reservation for up to two-week periods, (a rental fee will be charged for off-campus entities wishing to utilize contact tables);
   c. exterior locations as designated by the University. Exterior location distributions are limited to one location for no more than two consecutive weeks per group, with at least five class days between multiple registrations. In times when a large number of requests have been received, the Memorial Union Director reserves the right to reduce the two week limit to accommodate as many users as possible. Distributor(s) must register in advance in the Memorial Union Administrative Office, at which time the following information will be required.
      a. the type, location, date(s), and time of the distribution;
      b. a copy of the literature;
      c. the name of the organization represented, if any; and
      d. the name, address, and signature of the person or a group representative.

6. Literature may not be distributed in classrooms except by permission of the instructor or by registered student organizations at the scheduled meetings or events.

7. Literature may not be distributed in buildings on campus other than the Memorial Union unless it is University or student organization sponsored and complies with building policies. An employee, student or visitor may not solicit or distribute literature to NDSU employees in work areas for matters not related to NDSU business (See Policy 706.3). Literature may not be distributed in classrooms except by permission of the instructor or by recognized student organizations at the scheduled meetings or events. Literature to be distributed within the Residence Halls must be approved by the Associate Director of Residence Life.

8. A poster distribution list of places on campus where notices may be posted is available in the Student Activities Office, Memorial Union 360. Bulletin boards in buildings on campus are restricted unless a notice on the board states otherwise.

9. Demonstrations

9.1 The University community is one of inquiry and persuasion. An individual or group may protest, rally or demonstrate provided such protest or demonstration does not disrupt University operations or obstruct physical movement to, from, or within any place on the campus, including University property located off the main campus. While the campus must be open to the free exchange of ideas, the University may limit the time, place and manner of protests, rallies, and demonstrations. All members of the community are expected to conduct dialogues with dignity and courtesy. Organizers and participants must allow other community members freedom of movement on campus and the freedom to engage in the performance of their duties or the pursuit of their educational activities.

9.2 A protest, rally, or demonstration must not interfere with the missions, processes, procedures or functions of the University. Therefore, organizers and participants must recognize and allow the staff and faculty of the University to engage in the performance of their duties, and for students to pursue their educational activities. Impeding or restricting these activities by making noise, blocking entrances or exits from University facilities, or by coercion, intimidation or threats or use of violence is unacceptable.

9.3 Organizers and participants are expected and required to vacate an area or facility of the University when directed to do so by an appropriate official of the University for reasons stated in subsections 8.1 or 8.2 or if there has been a failure to register pursuant to 8.4.
§ 9.4 Any protest, rally or demonstration must be registered with the Director of the Memorial Union and Campus Police prior to the event. Whenever possible, at least 24 hours lead time will be given. The registration process will enable University officials to:

A. Outline and discuss with demonstrators the guidelines necessary to keep the demonstration non-violent and non-disruptive.

B. Plan for the control of possible counter-demonstrations which would infringe upon the rights of the demonstrators or result in violent or abusive action.

C. Identify information similar to section 5.

§ 9.5 If the Demonstration/Parade will involve a public street, applicants may also have to get a City of Fargo Special Event permit. Parades through campus buildings are not permitted, except in the case of a silent march through the Memorial Union.

POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 212: Overtime

Change from NDUS HR Policy Manual, Section 12. Adds language in section 4 regarding working from home when on-call. Also includes some housekeeping changes that reflect the new title of the Human Resources/Payroll Office.

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

Policy Coordination Committee – 8/18/05
President’s Council –
University Senate –
Staff Senate –

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

Office of Human Resources/Payroll [8-12-05]

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SECTION 212: OVERTIME

SOURCE:

NDSU President
NDUS Human Resource Policy Manual, Section 12

1. Overtime compensation at a time and one half rate shall be provided to all non-exempt employees when hours worked exceed forty hours in a work week. Compensatory time off at a time and one half rate may be provided in lieu of cash overtime payments upon prior agreement.

1.1
In establishing a 40 hour work week, annual leave, sick leave, storm pay and holidays shall be counted as hours worked.
1.2
*The Office of Human Resources/Payroll* is responsible for periodic review of positions to insure proper identification as exempt or non-exempt pursuant to definitions provided within the Fair Labor Standards Act.

2. Overtime provisions are not applicable to exempt employees as identified by federal wage and hour criteria. The department head, however, may arrange time off in recognition of required, continuous or excessive overtime for employees exempt from overtime. In order to be considered "exempt" from the overtime provisions of the Fair Labor Standards Act, an employee must be in a position that can be substantiated to be of an executive, administrative, or professional nature. Whether an employee is exempt depends on duties, responsibilities and salary. Contact the Office of Human Resources/Payroll for assistance in determining exempt status.

3. Overtime hours may be approved on the basis of emergency circumstances or when it is impractical to maintain an additional temporary work force adequate to handle peak loads during hours. Overtime hours must be authorized by the employee's department head. Overtime work shall be assigned on an equitable basis.

4. A non-exempt employee called back for emergency service after completing his/her regular day's work shall receive compensation at the rate of time-and-one-half. Guaranteed minimum pay for call-back to a work site when required will be two hours at time-and-one-half and guaranteed minimum pay for call-back when return to the work site is not required, for example, when services are provided from home by telephone, is fifteen minutes at time-and-one-half. Temporary employees shall be paid time-and-one-half for hours worked in excess of forty hours per week.

5. Work which is not requested by a supervisor but is permitted must be counted as hours worked.

6. When an employee is given a work assignment in a secondary location requiring travel time, such travel time is counted as time worked.

7. Calculation of Overtime Compensation - Hourly rate must be computed according to the format as shown in Section 121. For those employees who work more than one position with more than one rate of pay NDSU uses a weighted average method to compute the hourly rate for overtime purposes. Contact the Office of Human Resources/Payroll for more information.

8.1 Hours worked include all hours worked plus any leave with pay hours.

8.2 Overtime pay = (hours worked - 40) x hourly rate x 1.5

8. Overtime pay should be requested by use of a timeslip.
9. In lieu of overtime cash payment, non-exempt employee may be given equivalent time off (comp time) from the job. Time off (comp time) must be given at one-and-one half times the overtime hours worked. The time off must be taken within six months of the overtime hours worked.
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 241 - Position Classifications

Removes pay ranges in section 1. These changes reflect changes in the NDUS HR Policy Manual, Section 14. Also includes housekeeping changes that reflect the new title of the Human Resources/Payroll Office.

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

Policy Coordination Committee – 8/18/05
President’s Council –
Staff Senate –
University Senate –

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

Office of Human Resources/Payroll [8-12-05]

SECTION 241: BROADBANDING POLICY


1. The North Dakota University System is responsible for managing bands (as defined by the US Department of Education)The bands include job families of positions with similar skills.

1.1
Complete and accurate position descriptions will be written and maintained by the supervisor. The position description will be used by the Office of Human Resources/Payroll for placement of the position in a band and job family. Within each job family, job duties may vary depending on need as determined by the supervisor. Duties and responsibilities assigned a position may change without change in band or job family.
2. The job family title of each position is the official title, which is used on payroll records, budget documents, personnel and other official records. The department may use functional titles for other purposes.

3. The Office of Human Resources/Payroll is responsible for maintenance of the University's staff positions. The campus Office of Human Resources is responsible for the assignment of staff positions to the proper band and job family after review by other Human Resource offices within the University system.

4. A review of the current band/job family assignment of a position may be requested by the employee, department head, or Office of Human Resources/Payroll.

5. Band/job family assignments approved prior to the 15th of the month are effective the first of the month. Band/job family assignments approved after the 15th of the month are effective the first of the month following the returned decision from the Office of Human Resources/Payroll.

6. If, after a band/job family assignment decision the employee, or the employee's supervisor, is dissatisfied with the decision, an appeal may be initiated by the proper completion and submission of forms available from the Office of Human Resources/Payroll or at http://www.ndsu.edu/broadbanding/forms.shtml

6.1 The appeal must be received in the Office of Human Resources/Payroll no later than 30 days from the date on which the band/job family decision was mailed.

6.2 All sections of the appeal form must contain an appropriate entry or, if not applicable, an explanation as to why the item(s) is/are not applicable. All required signatures and attachments must be complete when the appeal is forwarded from the Office of Human Resources/Payroll to the Chair of the NDUS Human Resources Council (HRC).

6.3 Upon receipt of the completed appeal form, the Human Resource Council (HRC) shall act upon the appeal within a reasonable period of time and provide a written response to the employee and institution. Decisions of the HRC will be effective on the initial date of the band/job family determination.

6.4 This is the last step in the band/job family appeal process.
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   Section: 350.1: Board Regulations on Academic Freedom and Tenure; Academic Appointments

   Change to NDSU interpretation language in subsection 6 to better reflect current procedure. Most of the information given to new faculty is on-line. New faculty receive limited hard copy information. Directions are given to new faculty on where to locate policies on-line.

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

   Policy Coordination Committee - 7/21/05
   Staff Senate -
   University Senate –
   President’s Council –

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

   General Counsel (6/29/05)
   Director of Equity and Diversity (6/29/05)

SECTION 350.1: BOARD REGULATIONS ON ACADEMIC FREEDOM AND TENURE; ACADEMIC APPOINTMENTS

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

1. General Principles

   a. A college or university is a forum for ideas, and it cannot fulfill its purpose of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. Academic freedom and tenure are both important in guaranteeing the existence of such a forum. This policy is intended to enable institutions under the authority of the Board to protect academic freedom.

   b. The purpose of tenure is to assure academic freedom. Academic freedom applies to all scholarly pursuits. Freedom in scholarship is fundamental to the advancement of knowledge and for the protection of the rights of the faculty members and students. It carries with it duties and responsibilities correlative with rights. These duties and rights are set forth in policy 401.1, relating to Academic Freedom, and the 1940 Statement of Principles on Academic Freedom and Tenure (Rev. 1990), adopted by the American Association of University
Professors and the Association of American Colleges. These policies apply to all institution faculty unless otherwise indicated.

c. Tenure is awarded by the Board upon recommendation of the Chancellor, following review and recommendations made pursuant to the procedures established at the institution and a recommendation by the institution's president to the Chancellor. A favorable recommendation means that the applicant meets all of the prerequisites and criteria and the award of tenure is consistent with the sound fiscal management and academic priorities of the institution and the system of education under the control of the Board. Tenure recommendations submitted to the Board shall include a brief summary of the candidate's qualifications and reasons for the recommendation. Tenure is not an entitlement, and the granting of tenure requires an affirmative act by the Board. Tenure is limited to the academic unit or program area in the institution in which tenure is granted and shall not extend to an administrative or coaching position.


a. "Academic Year" means the period, approximately nine months in duration, starting with the beginning of the Fall semester and ending following completion of the Spring semester.

b. "Board" means the North Dakota State Board of Higher Education.

c. "Faculty" means all members of the academic staff, excluding only coaches and administrators in their capacities as coaches or administrators.

d. "Receipt" means either actual or constructive receipt. Constructive receipt means the sending party has taken all reasonable steps to ensure that the receiving party has received actual notice.

"Academic unit or program area" shall be defined as the department or comparable unit. Comparable unit shall be determined by the President after consultation with relevant department, college, and university faculty and representatives.

"Head of an academic unit" shall be defined as the department chair or equivalent administrative appointment. Equivalent administrative appointment includes faculty coordinating a program area who have administrative responsibility for evaluating probationary and tenured faculty and making recommendations for tenure, promotion, renewal or nonrenewal, dismissal, or termination.
3. General Procedures

a. Because of the variety of scope and organizational structure of the institutions under the control of the Board, the faculty governance structure at each institution, in accordance with section 305.1 of these policies, shall recommend procedural regulations to the president to implement policies 605.1, 605.2, 605.3 and 605.4, including:

The faculty governance structure at North Dakota State University is the University Senate.

(1) procedures for continuing evaluation of both probationary and tenured faculty members; and

(2) criteria and procedures by which faculty members are evaluated and recommended for tenure.

Procedures for the continuing evaluation of both probationary and tenured faculty members, and criteria and procedures by which faculty members are evaluated and recommended for tenure are published in the NDSU Policy Manual, Section 352.

b. The criteria for tenure evaluation and continuing evaluation of probationary and tenured faculty shall include scholarship in teaching, contribution of a discipline or profession through research, other scholarly or professional activities, and service to the institution and society. Institutions may adopt additional criteria. The regulations defining these criteria shall be consistent with the nature and mission of the institution.

(1) Institutions shall establish various tenure "plans" appropriate to the diverse missions of individual institutions, designed to encourage emphasis on research, scholarship in teaching (including, for example, utilization of technology in teaching and innovative teaching methods), service (including, for example, technology transfer and economic development) and other areas of emphasis. Institution regulations shall include guidelines for determining weight to be given each of the criteria for tenure evaluation and continuing evaluation. The guidelines shall provide for varying emphasis on the enumerated criteria based upon the faculty member's plan, the needs of the institution and the background, abilities and interests of the faculty member.
Tenured and probationary faculty contracts shall identify the faculty member's tenure plan and describe the faculty member's duties and goals. The contracts shall specify the weight to be given the criteria for evaluating performance. The contract provisions shall be reviewed and, when appropriate, revised as a part of the faculty member's periodic evaluations.

c. Eligibility for tenure requires a probationary period of six years of continuous academic service to the institution, during which the faculty member is evaluated at least annually according to an evaluation process designed to foster continuous improvement. The term may be extended beyond six years or the continuous service requirement may be waived in exceptional circumstances. Institutions shall establish procedures for granting extensions or waivers of the continuous service requirement in exceptional circumstances, which must include maternity or parental leave and appropriate accommodations for faculty members with disabilities. Institution procedures may define additional exceptional circumstances including, for example, family emergencies or extended illness.

A faculty member desiring an extension of the six-year probationary period or a waiver of the continuous service requirement based on exceptional personal or family circumstances shall make a written request for an extension or waiver to the department chair or head of the academic unit. The written request shall be made within 90 days from the time of the exceptional circumstances justifying the extension or waiver request. The chair or head of the academic unit shall forward a recommendation on the request to the Dean who shall also review the matter and forward a recommendation on the request to the Vice President for Academic Affairs. Approval of the extension or waiver request rests with the Vice President for Academic Affairs and the President of the University. Denial of an extension or waiver request is a matter related to promotion and tenure appealable pursuant to Policy 350.

d. An institution may, subject to procedural requirements stated in this policy and sections 605.2, 605.3, and 605.4, decline to renew the contract of probationary faculty without cause at any time during the probationary period.

4. Faculty appointments shall be probationary, tenured or special.

a. PROBATIONARY APPOINTMENTS are renewable annually and yield credit toward tenure. The probationary term is limited to six years of continuous academic service, excluding extensions to the term or exceptions to the continuous service requirement granted in exceptional circumstances.
An individual with previous professional experience may, at the discretion of the institution, be given tenure credit not to exceed three years for this experience, with such credit to be regarded as academic service to the institution for the purpose of these regulations. The faculty member shall be informed in writing of this policy and the institution's decision prior to or at the time of appointment.

Acceptability of tenure credit shall be evaluated by the department chair and the dean or director of the college or equivalent unit. Approval of credit toward tenure rests with the Vice President for Academic Affairs and the President of the University.

Time spent on leave of absence or developmental leave may be counted, up to a maximum of two years, as academic service for the purposes of these regulations. The amount shall be determined, and the faculty member informed in writing, including any applicable conditions, prior to authorization of the leave.

Approval for leave credit is required by the department chair, dean, and the VPAA.

b. TENURED APPOINTMENTS recognize a right, subject to Board policy, to continuous academic year employment in an academic unit or program area as defined by an institution and stated on the contract. A faculty member shall qualify to be recommended for a tenured appointment by satisfying the criteria for tenure developed in accordance with subsection 3 of this policy.

The following persons are not eligible for tenured appointment:

(i) Faculty members with a part-time or temporary appointment. However, faculty members who have been awarded part-time tenure as established by previous Board policy and those who accept a part-time appointment after being awarded tenure in a full-time position shall continue to have such tenure recognized.

(ii) An institution's president:

The President's Office maintains the list of faculty members who have been awarded part-time tenure under previous Board policy.

The Board may, following review and recommendations made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to an institution's chief academic officer or to any other person appointed to the faculty who has not met the eligibility requirement of subdivision 3 (c)
of this policy, provided that the person, at the time tenure is granted has:

(i) held a tenured appointment at another institution, or

(ii) been a faculty member at the institution for at least one prior academic year.

(3) The Board may, following review and recommendation made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to any person appointed to the faculty who has not met the eligibility requirements of subdivisions 3(b) and 3(c) of this policy, provided that the person has a documented record of outstanding achievement and consistent excellence in a discipline or profession gained through research, scholarly or professional activities, or service.

Materials in support of a candidate for tenure under exceptional circumstances shall be submitted to the department or academic unit in which tenure is sought. The materials shall be reviewed at the department or unit level and the chair or head of the academic unit shall forward the unit's recommendation to the Dean and the college PTE committee, who will review the materials and unit recommendation and make independent recommendations to the Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs will review the materials and recommendations and provide a recommendation to the President who will make a final recommendation to the State Board of Higher Education.

c. SPECIAL APPOINTMENTS do not involve either tenure credit or status. Special appointments are all appointments except tenured or probationary appointments, including:

(1) Courtesy adjunct appointments awarded in accordance with Board policy to professional people who contribute to the academic or research program of the institution;

(2) Visiting appointments for people holding academic rank at another institution of higher education;

(3) Appointments of retired faculty members on special conditions;

(4) Initial appointments supported wholly or partially by other than state appropriated funds;

(5) Appointments clearly limited to a brief association with the institution, as defined by the institution;
A brief association, as defined at NDSU, will be a maximum duration of six consecutive years. Exceptions to this policy must be approved by the chair, dean and the VPAA.

Terminal appointments given with notice of non-renewal to faculty members who were previously on probationary appointment. A terminal appointment with notice of nonrenewal must be given to a faculty member no later than the end of the sixth year of probationary appointment if the decision is made to deny tenure;

Part-time faculty;

Lectureship appointments, which shall be for performance of specifically assigned academic duties only, without general faculty responsibilities;

Lecturers provide the services defined in the letter of appointment, which are generally limited to teaching specific courses or advising a certain number of students; participation in faculty governance is not provided for. These appointments are compensated and may be for one or two semesters at a time. Full-time lectureship appointments are considered temporary. Service beyond a total of six consecutive years requires a written justification by the department and approval by the dean and the VPAA.

A Senior Lecturer appointment is also available for academic staff of distinguished merit and ability when a probationary faculty appointment is either inappropriate or unavailable. Factors to be considered in awarding a Senior Lecturer appointment include the academic degree and years of experience of the candidate, as was well as the level of courses taught and the quality of instruction. Although senior lecturers may be expected to participate in college activities and committees, they are not eligible for governance activities or committee assignments provided for the University's faculty by its Constitution or Bylaws.

Senior Lecturers shall be appointed annually (or for a longer period with the approval of the Vice President for Academic Affairs) at a salary appropriate for their qualifications, responsibilities and department.

Notice of termination of a Senior Lecturer appointment must be given by March 1 of the first full year of academic service, or by December 15 of the second or subsequent year of service, in order for the termination to be effective as of the end of that fiscal year of service.
All Senior Lecturer appointments are subject to approval of the State Board of Higher Education.

(9) Graduate teaching assistant appointments; and

(10) Postdoctoral fellowships and clinical appointments.

(11) Other faculty appointments, not probationary or tenured, that are designed to help fulfill the institution's mission or meet long-term needs. The appointments shall be subject to an agreement describing the faculty member's duties and goals, criteria and weight assigned each criteria for evaluation. The term of an appointment and agreement, or renewal thereof, may not exceed three years. The faculty member's performance and achievement of goals shall be evaluated during the final year of an appointment. An appointment may be renewed only if the evaluation demonstrated satisfactory performance.

5. The general terms and conditions of appointment shall be provided the appointee in a written contract. The contract shall state whether the appointment is probationary, tenured or special. The term of a contract, except contracts made pursuant to paragraph 4(c)(11), shall generally not exceed one year. A multiple-year contract must be subject to termination upon discontinuance of the program in which the faculty member is employed, non-appropriation or loss of funds, or other financial exigency.

For a faculty appointment, the contract consists of the letter offering the position, the current job description of the individual faculty member, and the current policies and procedures of NDSU and the State Board of Higher Education. The department chair or head of an academic unit will ensure that all faculty have job descriptions that are periodically reviewed and updated. Each job description will be signed by the Dean, the Chair or head of the academic unit, and the faculty member and filed in the faculty member's official personnel file. Each job description shall specify how a faculty member's assigned responsibilities will be allocated among teaching, research, and service which will determine the weight to be given to each area of responsibility for tenure, promotion, and continuing evaluations.

6. The institutional process for evaluation of faculty, the criteria and minimum expectations for promotion and for tenure, and provisions concerning required notices, shall be made known to the appointee at the time of appointment. This disclosure may be accomplished by a published description of the process, criteria, and expectations in a faculty handbook or similar document. Such provisions are subject to change according to processes established for adoption or amendment of Board and institutional policies. Institution procedures shall provide for annual evaluation of all full-time faculty. The procedures shall include provisions requiring that evaluations are completed in a timely and appropriate fashion and that the institution takes appropriate remedial action in response to unsatisfactory evaluations. Evaluation criteria shall relate to a faculty member's duties and goals and be appropriately weighted in accordance with the terms
of the faculty member's contract. Evaluations of all teaching faculty must include significant student input.

At the time of appointment, the appointee shall be provided with a faculty handbook information, which contains the institutional process for evaluation of faculty, as well as minimum expectations for promotion and tenure. In addition, specific departmental and college guidelines for promotion, evaluation and tenure, if applicable, will be made available to the appointee.

The dean or director of the college or equivalent unit will be responsible for providing these documents to the appointee.

Note: Since this Policy repeats Board Policy, the section numbers in the Board Policy refer to Board Policy numbers. The italicized portions of Policies 350.1-350.4 are NDSU Policy which implement or supplement Board Policy.

POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 515: Travel

Changes are needed for compliance with Century Code changes to employee lodging, mileage, and meal reimbursement rates.

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

Policy Committee: 8/18/05
University Senate:
Staff Senate:
Student Senate/Executive Board:
President’s Council:

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

Accounting Office (8/3/05)

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SECTION 515: TRAVEL - EMPLOYEES

SOURCE: NDSU President
North Dakota Century Code (NDCC)
North Dakota Office of Management and Budget Policy

1. GENERAL PROVISIONS

1.1 DEFINITION OF "TRAVEL" - (NDSU Interpretation)
For purposes of this policy, except for No. 2 below, the term "travel" means the absence from the city or community where a person normally works and/or maintains an office. For purposes of travel by staff members employed on the University campus their "community" shall include, Fargo, West Fargo, and Moorhead.

1.2 MEANS OF TRAVEL - (NDSU Interpretation)
Employees must choose the most prudent and economical means of travel, considering factors such as: travel expenses, time away from the office, and the needs of the University.

1.3
ACCOUNTING OFFICE RESPONSIBILITY - (NDSU Interpretation)
The NDSU Accounting Office is responsible for the initial development of
NDSU's employee travel expense reimbursement policy, in addition to the final
review and approval of individual employee travel expenses. Employees may be
contacted by the Accounting Office for more documentation or a cost/benefit
justification. The NDSU Accounting Office must apply the travel rules in this
policy on a reasonable, fair and consistent basis.

1.4
TRAVEL VOUCHER REQUIREMENTS - (NDCC 54-06-09 (6) )
Before an allowance for any such mileage or travel expenses may be made, the
employee shall file with the employee's department an itemized statement
showing the mileage traveled, the hour of departure and return, the days when and
how traveled, the purpose thereof, and such other information and documentation
as may be prescribed by rule of the employee's department, college, or division.

(NDCC 44-08-05.1)
Any employee who has the power to approve a voucher for a department shall
determine, before approving such voucher, the following:

1.4.1
That the expenditure for travel or other expenditures were for lawful and official
purposes.
1.4.2
If for travel expense, that the travel actually occurred and that the sums claimed
for travel expenses are actually due the individual who is seeking reimbursement,
allowance, or payment.
1.4.3
If the voucher is for expenditure other than travel expense, that the expenditure is
lawful and that the voucher contains no false claims.

2. TRAVEL WITHIN THE CITY OF EMPLOYMENT
Employees may be reimbursed for expenses incurred within their "city or
community" of employment for the following:

2.1
(NDSU Interpretation)
Parking fees for personal vehicles when conducting University functions or
attending University meetings.
2.2
(OMB Policy 507)
Mileage at in-state rates for personal vehicles used to transport equipment or
university guests for university functions.
2.2.1 (OMB Policy 507) 
Mileage from a normal work station to a conference or meeting is reimbursable, if an employee actually reports to work prior to attendance at the meeting. However, mileage for travel from an employee's residence directly to the conference/meeting site is not reimbursable, since it is considered normal commuting travel.

2.3 (NDSU Interpretation) 
Meals may be reimbursed as provided under NDSU Policy 170.

2.4 (NDSU Interpretation) 
Transportation between the employee's residence and airport, which consists of taxi fare or mileage plus airport parking, whichever is less.

3. OUT-OF-STATE TRAVEL AUTHORIZATION - (NDSU Interpretation) 
Employees must have each out-of-state trip pre-approved by their immediate supervisor. In addition, employees in a department, college, or division must have each out-of-state trip pre-approved by their Dean or Director. Deans and Directors who report directly to a Vice President must have their out-of-state trips pre-approved by their Vice President. Vice Presidents and others reporting directly to the President, must have each out-of-state trip pre-approved by the President. An interactive web form is available for purposes of obtaining out-of-state travel authorization.

3.1 WORKERS COMPENSATION - (NDSU Interpretation) 
In cases where employees are working out-of-state for 30 consecutive days, or for any international trip, the employee must notify the Office of Human Resources to arrange proper Workers Compensation coverage.

3.2 FOREIGN TRAVEL AUTHORIZATION - (NDSU Interpretation) 
Each trip to a foreign country must be approved by the appropriate Vice President.

4. PRIVATELY OWNED TRANSPORTATION - (NDCC 54-06-09) 
An employee, when required to travel by motor vehicle or truck in the performance of official duty, should use a state-owned vehicle, whenever possible.

(OMB policy 511) 
When an employee drives a state fleet vehicle, the State's liability coverage is primary should an accident occur. If an employee drives a personal vehicle on state business, the employee's personal insurance is primary. If an employee must drive a personal vehicle because no state fleet vehicles are available, then the State would have primary responsibility.

(NDCC 44-08-03) 
Where more than one state employee travels in the same car while engaged upon official duty, whether belonging to different departments, subdivisions, boards, or
commissions or not, no claim may be made for more than one mileage, such claim to be made by the owner or lessee of such car.

If an employee is allowed to use a personal vehicle, reimbursement will be made according to the rates below.

4.1
IN-STATE MILEAGE - (NDCC 54-06-09 (1a))
The sum of 25 cents 31 cents (for travel prior to 08/01/05) - effective for travel on or after 4/18/01) or 37.5 cents (for travel on or after 08/01/05) per mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle.

4.2
(NDCC 54-06-09 (1a))
The sum of 35 70 cents: effective for travel on or after 4/18/01) per mile when such travel is by private airplane.

4.3
OUT-OF-STATE MILEAGE - (NDCC 54-06-09 (3))
If only one person engages in travel exceeding any geographic point 150 miles (300 miles: effective for travel on or after 4/18/01) beyond the borders of this state, reimbursement shall be limited to eighteen cents per mile for the out-of-state portion of the travel beyond the first 150 miles (300 miles: effective for travel on or after 4/18/01).

(NDSU Interpretation)
When interpreting the law indicated in 4.3 above, it may be helpful to visualize that the state's border has expanded in all directions by 150 miles (300 miles: effective for travel on or after 4/18/01). When only one person travels outside the state of North Dakota and uses their own vehicle, their miles traveled within the 150 mile (300 miles: effective for travel on or after 4/18/01) expanded border, the employee may be reimbursed at the 25 cents (31 cents (for travel prior to 08/01/05) or 37.5 cents (for travel on or after 08/01/05) per mile rate. This includes both the departure and return parts of the trip.

When two or more state employees travel in the same vehicle, the per mile allowance is 25 cents (31 cents (for travel prior to 08/01/05) or 37.5 cents (for travel on or after 08/01/05). State employees accompanying the vehicle owner must be listed on the travel voucher.

4.4
(NDCC 54-06-09 (5))
State employees permanently located outside the state or on assignments outside the state for an indefinite period of time, exceeding thirty consecutive days, will be allowed and paid 25 cents (31 cents (for travel prior to 08/01/05) or 37.5 cents (for travel on or after 08/01/05) per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle, the 150 miles (300 miles: effective for travel on or after 4/18/01) restriction, in 4.3 above, does not apply.
Mileage allowances are assumed to be total operating costs for vehicles. No additional amounts will be reimbursed to employees for personal items such as: traffic or parking tickets, vehicle repairs, or any other normal automobile expenses.

5. COMMERCIAL AIRLINES - (OMB Policy 510)
For travel on official state business, airline tickets may be either purchased through a travel agency and billed to the department, or purchased by the employee and reimbursed. In either case, the original itinerary should be used to support the travel agency payment or employee reimbursement.

(OMB Policy 510)
Reimbursement to an employee will be allowed for the actual cost of tourist or coach fare, purchased at the lowest available rate, except when approved by the appropriate VP or President, unless not permitted by federal rules or regulations.

5.1 (NDSU Interpretation)
If the ticket is paid by the employee in a month prior to the travel dates, with appropriate department approval, the employee may be reimbursed immediately after the ticket is paid using a request for payment form.

5.2 (NDSU Interpretation)
Meal and lodging expenses will be limited to the days needed to complete the business trip. Meal and lodging expenses for additional travel necessary to get a discounted or reduced airline rate are reimbursable, if a cost savings can be documented.

6. MEAL REIMBURSEMENTS - (NDCC 44-08-04)
Reimbursement is allowed only for overnight travel or other travel, away from the normal place of employment, for four hours or more. Verification of expenses by receipt is required only for lodging expenses.

6.1 DEFINITION - QUARTERS - (NDCC 44-08-04 (2)) NDSU Interpretation italicized)
For purposes of employee meal and lodging reimbursements, state law defines the four quarters of a day as follows:
First quarter shall be from six a.m. to twelve noon. No reimbursement may be made if travel begins after seven a.m.
Second quarter shall be from twelve noon to six p.m. (No reimbursement will be made for this quarter if travel begins after one p.m. or ends prior to twelve noon.)
Third quarter shall be from six p.m. to twelve midnight. (No reimbursement will be made for this quarter if travel begins after seven p.m. or ends prior to six p.m.)
Fourth quarter shall be from twelve midnight to six a.m. *(This quarter pertains to claiming lodging expense.)*

6.2
CONFEERENCE, SEMINAR, OR OTHER MEETING - (NDCC 44-08-04 (1))
Claims may also be made for meals that are included as part of a registration fee for a conference, seminar, or other meeting and for meals attended at the request of and on behalf of the University; however, if a meal is included in a registration fee, the applicable quarter's meal allowance cannot be claimed for that meal.

6.3
TAXABLE MEALS - (NDSU Interpretation of IRS regulations)
Meal reimbursements that do not involve "overnight lodging" are reported as taxable gross income on the employee's W-2 and are subject to withholding and employment taxes. A lodging receipt is considered adequate proof of overnight lodging. Also, a notation on the travel voucher that the employee stayed overnight with a friend or relative is sufficient.

6.4
PAYMENT FOR MEALS OF STAFF & GUESTS, WHILE IN TRAVEL STATUS - (NDSU Interpretation)
NDSU Policy 170 allows reimbursement to employees for meals of staff and guests, even though the employee is not in travel status. Employees while in travel status may also occasionally encounter meal expenses when they are required to be at a meeting and there is a need to pay for meals of guests, such as when interviewing candidates, recruiting, or fund raising.

If an employee is at a required meeting and pays for meals of guests (while in travel status), the employee may be reimbursed for the actual receipt amount. If the employee meal is reimbursed at actual receipt amount on the travel voucher, he/she must not claim the applicable quarter's meal allowance.

When employees are reimbursed for the actual receipt amount for meals under this section, the expenses should be reflected under the "miscellaneous expense" (TCC 399) column on the travel voucher. The purpose of the meeting and names of guests must be documented on either the travel voucher or an attached banquet and meeting documentation form.

6.5
TEAM TRAVEL - (NDSU Interpretation)
Meal expenses of athletic department employees, when traveling with student athletes to games, are covered by travel advances issued from the Accounting Office. These meals are attended at the request of and on behalf of the University and, therefore, the meals are paid from the travel advance at the actual cost of the meals, in accordance with the Athletic department meal reimbursement guidelines for student athletes. The actual cost of employee meals must not exceed the applicable meal allowance for the quarter. Since the meals are paid out of the travel advance, it is not necessary for the employees involved in the team travel to complete a travel voucher to claim reimbursement for the meals.
As an alternative to actual meal costs, some head coaches may prefer to distribute a cash per diem to the employees and student athletes. The cash per diem is distributed from the travel advance for the individual to use for meals. The cash per diem for employees must not exceed the meal allowance allowed policy and must not exceed the Athletic department meal reimbursement guidelines for student athletes. Since the employee cash per diem is paid from a travel advance, it is not necessary for the employee to complete a travel voucher to claim reimbursement for the meals.

6.6 MEAL ALLOWANCE RATES - (NDCC 44-08-04 (2))
Meal reimbursement rates depend upon the time of day the employee is in travel status and whether the travel is in-state or out-of-state. Verification of receipts shall not be required for the first three quarters listed above in Section 6.1.

6.6.1 IN-STATE - (NDCC 44-08-04 (2))

<table>
<thead>
<tr>
<th>Location</th>
<th>Daily Total</th>
<th>First Quarter</th>
<th>Second Quarter</th>
<th>Third Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>In-State</td>
<td>$20.00</td>
<td>$4.00</td>
<td>$6.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>In-State</td>
<td>$25.00</td>
<td>$5.00</td>
<td>$7.50</td>
<td>$12.50</td>
</tr>
</tbody>
</table>

6.6.2 OUT-OF-STATE, WITHIN CONTINENTAL U.S. - (NDCC 44-08-04 (3))
The allowance for out-of-state meals, within the continental United States, is equal to per diem meals rate in the city for which a claim is made on that day as established by the United States general services administration and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)
The standard meal allowance rate (per diem) for cities in the continental United States is currently $30.00 $31.00 per day. ($31.00 per day for travel on or after 10/1/03). The Accounting Office web site includes a listing of cities whose meal allowance rates are higher than the standard rate. The quarterly breakdown for the meal allowance in this category is as follows:

For travel before 10/1/03:

<table>
<thead>
<tr>
<th>Location</th>
<th>Daily Total</th>
<th>First Quarter</th>
<th>Second Quarter</th>
<th>Third Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Out of State, within continental U.S. (depending on city) Standard Rate</td>
<td>$30.00</td>
<td>$6.00</td>
<td>$9.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>(depending on city)</td>
<td>$34.00</td>
<td>$6.80</td>
<td>$10.20</td>
<td>$17.00</td>
</tr>
<tr>
<td>(depending on city)</td>
<td>$38.00</td>
<td>$7.60</td>
<td>$11.40</td>
<td>$19.00</td>
</tr>
</tbody>
</table>
For travel on or after 10/1/03:

<table>
<thead>
<tr>
<th>Location</th>
<th>Daily Total</th>
<th>First Quarter</th>
<th>Second Quarter</th>
<th>Third Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Out-of-State, within continental U.S. (depending on city) Standard Rate</td>
<td>$31.00</td>
<td>$6.20</td>
<td>$9.30</td>
<td>$15.50</td>
</tr>
<tr>
<td>(depending on city)</td>
<td>$35.00</td>
<td>$7.00</td>
<td>$10.50</td>
<td>$17.50</td>
</tr>
<tr>
<td>(depending on city)</td>
<td>$39.00</td>
<td>$7.80</td>
<td>$11.70</td>
<td>$19.50</td>
</tr>
<tr>
<td>(depending on city)</td>
<td>$43.00</td>
<td>$8.60</td>
<td>$12.90</td>
<td>$21.50</td>
</tr>
<tr>
<td>(depending on city)</td>
<td>$47.00</td>
<td>$9.40</td>
<td>$14.10</td>
<td>$23.50</td>
</tr>
<tr>
<td>(depending on city)</td>
<td>$51.00</td>
<td>$10.20</td>
<td>$15.30</td>
<td>$25.50</td>
</tr>
</tbody>
</table>

6.6.3
CANADA, ALASKA, HAWAII NON-CONTINENTAL UNITED STATES AND OVERSEAS NONFOREIGN AREAS - (NDCC 44-08-04 (4))
The allowance for meals in Canada, noncontinental United States and overseas nonforeign areas, including Alaska, and Hawaii may not exceed one and one-half times the current continental United States standard rate, and Guam, is equal to the per diem meals rate in the city for which a claim is made on that day as established by the rule for federal employees established by the United States general services administration per diem committee and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)
The Accounting Office web site will have a link to the appropriate meal allowance for foreign travel.

(NDSU interpretation)
The current standard federal rate is $30 ($31.00 per day for travel on or after 10/1/03); therefore, the maximum allowance in this category is $45 per day ($30 x 1.5 = $45.00 per day) for travel before 10/1/03 and $46.50 per day for travel on or
after 10/1/03. The quarterly breakdown for the meal allowance in this category is as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Daily Total</th>
<th>First Quarter</th>
<th>Second Quarter</th>
<th>Third Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada, Alaska Hawaii Travel before 10/1/03</td>
<td>$45.00</td>
<td>$9.00</td>
<td>$13.50</td>
<td>$22.50</td>
</tr>
<tr>
<td>Canada, Alaska Hawaii Travel on or after 10/1/03</td>
<td>$46.50</td>
<td>$9.30</td>
<td>$13.95</td>
<td>$23.25</td>
</tr>
</tbody>
</table>

6.6.4 FOREIGN TRAVEL-EXCLUDING CANADA - NDCC 44-08-04(5))
The allowance for meals outside of the continental United States, Canada, Alaska, and Hawaii may not exceed two times the current continental United States standard rate which is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees established by the United States General Services Administration, department of state and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)
The Accounting Office web site will have a link to the appropriate meal allowance for foreign travel.

(NDSU Interpretation)
The current standard federal rate is $30 ($31.00 per day for travel on or after 10/1/03); therefore, the maximum allowance in this category is $60 per day ($30 x 2 = $60.00 per day) for travel before 10/1/03 and $62.00 per day for travel on or after 10/1/03. The quarterly breakdown for the meal allowance in this category is as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Daily Total</th>
<th>First Quarter</th>
<th>Second Quarter</th>
<th>Third Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreign Travel, excluding Canada Travel before 10/1/03</td>
<td>$60.00</td>
<td>$12.00</td>
<td>$18.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>Foreign Travel, excluding Canada Travel on or after 10/1/03</td>
<td>$62.00</td>
<td>$12.40</td>
<td>$18.60</td>
<td>$31.00</td>
</tr>
</tbody>
</table>

7. LODGING REIMBURSEMENTS - (NDCC 44-08-04 (1)(2d)(6)) (NDSU Interpretation italicized)
Reimbursement for in-state lodging expenses incurred while in travel status during the fourth quarter shall not exceed $42.00 ($45 for travel prior to 8/1/05) or $50 (for travel on or after 8/1/05) per day, plus any additional applicable state
or local taxes on lodging. Out-of-state lodging expenses shall be reimbursed at actual expense. An original lodging receipt is required for reimbursement to the employee. *(When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost.)*

7.1
**IN-STATE LODGING RATES OVER MAXIMUM - (OMB policy 505)**

If a room is more than the $42.00 $45 (for travel prior to 8/1/05) or $50 (for travel on or after 8/1/05) *(additional rates apply)*, the individual may only be reimbursed for the additional taxes based on $42.00 $45 (for travel prior to 8/1/05) or $50 (for travel on or after 8/1/05) *(additional rates apply)*, and the additional taxes must be pro-rated. For example *(under the $42.00 rate)*: if the room is $50.00 and taxes are $5.00, the individual will be reimbursed $42.00 plus $4.20 pro-rated taxes ($42/50 x $5 = $4.20). For example *(using the $50.00 rate)*: if the room is $60.00 and taxes are $5.00, the individual will be reimbursed $50.00 plus $4.15 pro-rated taxes ($50/60 x $5 = $4.15).

7.2
**DIRECT BILLING OF LODGING TO DEPARTMENT - (NDSU Interpretation)**

Employee lodging must be first paid by the employee and then reimbursed using the travel voucher. An employee's lodging expense should not be paid directly by the department to the lodging facility.

**EXCEPTIONS - (NDSU Interpretation)**

7.2.1

State law (NDCC 44-08-04.5) allows a state agency or institution to pay an out-of-state lodging provider directly when the North Dakota Office of Management and Budget has obtained a sales tax exemption from the destination state.

*(NDSU Interpretation)*

*(At this time, OMB does not have an agreement with any other state. State agencies will be notified when such agreements have been obtained.) The state law exception does not apply to in-state lodging.*

7.2.2

*(NDSU Interpretation)*

A lodging facility may be paid directly by the department if the travel involves a student field trip or athletic team travel.

7.3
**REQUIRED DEPOSITS - (NDSU Interpretation of OMB Policy 513)**

If a lodging facility requires a paid deposit to hold a room in advance, it should be paid by the employee. If the deposit is paid by the employee in a month prior to the travel dates, the employee may be reimbursed immediately after the deposit is paid using a Request for Payment form. The employee will need to verify that the deposit was properly credited to the lodging bill when the travel takes place.

7.4
**ROOM SHARING - (NDSU Interpretation)**

When two or more state employees share lodging accommodations, each
employee should normally claim his/her own reimbursement. In instances where
one employee pays the total lodging costs, he/she may claim reimbursement for
the same by listing the other employee(s) sharing the lodging accommodation.

(OMB Policy 513)
When a state employee is accompanied by an individual not eligible for
reimbursement (a spouse or traveling companion), the state employee must have
the lodging establishment clearly certify the room rate for a single person and
only that amount may be claimed.

8. MISCELLANEOUS TRAVEL EXPENSES - (NDSU Interpretation)
Reimbursement may also be requested for such necessary miscellaneous travel
expenses as registration fees, car rental, taxi fares, toll fees, business telephone
calls, parking fees and up to $5.00 per day for personal telephone calls while in
travel status. All miscellaneous travel expenses claimed on the travel voucher
must be individually identified and explained. Receipts are required for all
individual miscellaneous travel expenses exceeding $10.00.

8.1 ENTERTAINMENT & PERSONAL EXPENSES - (NDSU Interpretation)
Employee entertainment or other personal expenses are not reimbursable.
Expenses claimed by an employee that appear to fall in this category, will need
additional justification to support claiming them as necessary business expenses.

8.2 CAR RENTAL - (OMB Policy 518)
8.2.1 The university will reimburse an employee for car rental if the employee used an
aircraft to get to their destination, and if the use of the vehicle is sufficient to
justify that mode of travel instead of a taxi. It is generally the policy to discourage
car rentals unless their cost effectiveness is self-evident.
8.2.2 When renting a car for university business, purchase of additional insurance is not
necessary because it is covered by the State's Risk Management Fund. However,
the North Dakota Risk Management Division does recommend purchasing the
liability insurance if renting outside the United States. Also, when out of the
country, it is advisable to purchase the loss damage waiver as well. Employees
should consider what coverages the employee's personal auto insurance provides.

8.3 TIPS AND OTHER CHARGES - (NDSU Interpretation)
Reasonable tips, not to exceed $5.00 per tip, and service charges that are a
necessary part of the business trip are reimbursable. Examples include: tips to
bellhops and taxicab drivers. No reimbursement is allowed for tips on meals that
are covered by the meal allowance.

8.4 LOST RECEIPTS - (NDSU Interpretation)
When an original receipt is lost, a photocopy or faxed invoice should be obtained
with a notation by the employee that the original receipt was lost. Credit card
receipts are not sufficient.
9. TRAVEL ADVANCES - (NDCC 44-08-04.2)
   The Accounting office may approve a travel advance to employees for payment of meal and lodging expenses incurred while the employee is traveling on official business of this state, provided that such travel is planned to be in excess of five days per month, and provided that the funds advanced do not exceed eighty percent of the estimated expenses for the period.

   NDSU LIMITATIONS - (NDSU interpretation)
   Funds advanced for meals and lodging must be accounted for as required by this Policy. A travel advance form is available to request an advance. The Accounting Office will generally limit travel advances to the following two situations:

   9.1
   When an employee is chaperoning a group of students or other guests and is expected to pay some of the student's or guest's expenses.

   9.2
   When an employee is going on a trip for an extended period of time, such as more than one month. Usually these are international trips funded by a special grant.

POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section
718: Public/Open Records

NDSU Policy 718 is being updated per changes made to SBHE 1912 as a result of the 2005 legislative changes from HB 1286 to the open records law.

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

Policy Coordination Committee - 7/21/05
Staff Senate -
University Senate –
President’s Council –
Student Senate -

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

General Counsel (7-15-05)

SECTION 718: PUBLIC/Open RECORDS

SOURCE: SBHE Policy 1912

NDSU President

Except as otherwise specifically provided by law or this policy, all records of the State Board of Higher Education, the North Dakota University System and its institutions are, pursuant to N.D.C.C. Section 44-04-18, public records, open and accessible for inspection during regular office hours.

1. Student education records are confidential and access to those records is restricted according to the Family Education Rights and Privacy Act of 1974, as amended (FERPA). Pursuant to FERPA, each institution shall:

a. Adopt a policy as required by 34 CFR Section 99.6; 99.7;

b. Annually notify students currently in attendance of their rights under FERPA;

c. Except as provided under FERPA and 34 CFR Section 99.31, relating to conditions under which personally identifiable information may be disclosed without consent, obtain a signed
and dated written consent of a student before it discloses personally identifiable information from the student's education records;

d. Maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student as required by 34 CFR Section 99.32;

e. Provide the notice required by 34 CFR Section 99.37 concerning disclosure of directory information;

f. Adopt procedures implementing FERPA provisions governing release and transfer of student disciplinary records. Consistent with FERPA, student disciplinary records are confidential and may be released only as permitted under FERPA and implementing institution procedures; and

g. Comply with all other requirements of FERPA and applicable regulations.

NDSU Guidelines:

NDSU provides an annual notice informing students of their FERPA rights which constitutes its FERPA policy. Other provisions related to FERPA rights can be found in Policy 601-Code of Student Behavior.

2. Records of former students, including deceased former students, are confidential except that records of deceased former students may be released or disclosed at the request of a parent, personal representative, or other qualified representative of the student's estate, or pursuant to a court order or subpoena.

3. Access to and disclosure of campus police records is governed by N.D.C.C. Section 44-04-18.7. Accordingly, active criminal intelligence information and active criminal investigative information are exempt from the open records law. Each campus law enforcement agency shall maintain a list of all files containing active criminal intelligence and investigative information which have been in existence for more than one year, which shall be subject to disclosure under N.D.C.C. Section 44-04-18.

a. Campus police records which are open and must be disclosed under Section 44-04-18.7 include: arrestee description; facts concerning the arrest; conviction information; disposition of all warrants; a chronological list of incidents, including initial offense report information; a crime summary, including a departmental summary of crimes reported and public calls for service; radio log; and general registers.

b. Law enforcement records and files concerning a child, as that term is defined at N.D.C.C. ch.27-20, shall be kept separate from the records and files of adults and shall not be open to public inspection and may not be disclosed except according to the provisions of N.D.C.C. ch. 27-20.
c. Records of undercover law enforcement officers are confidential and exempt from the open records law as provided by N.D.C.C. Section 44-04-18.3.

4. Personnel records, other than personnel records that relate to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student, are public records open to inspection by the public. However, pursuant to N.D.C.C. Section 44-04-18.1, employee medical and employee assistance program records are confidential and may not be placed in an employee's personnel file and may not be released without the written consent of the employee. Further, personal information as defined in section 44-04-18.1, including a person's home address, home telephone number, photograph, medical information, motor vehicle operator's identification number, social security number, payroll deduction information, the name, address, phone number, date of birth and social security number of any dependent or emergency contact, any credit, debit or electronic fund transfer card number, and any account number at a bank or other financial institution, are exempt from the open records law and may be released only as required by law, pursuant to an institution policy or with the employee's written consent. Placement of documents in an employee's personnel file is governed by N.D.C.C. Section 54-06-21.

NDSU Guidelines:

a. N.D.C.C. Section 54-06-21 states that the "official" personnel file is "the file maintained under the supervision of the agency head" or designated representative. At NDSU, the "official file" location is designated as follows:

<table>
<thead>
<tr>
<th>Non-Broadbanded employees</th>
<th>Deans Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty (ranked), lecturers and graduate assistants</td>
<td>Deans Office</td>
</tr>
<tr>
<td>Extension/Ag. Experiment Staff</td>
<td>VP of Agriculture Office</td>
</tr>
<tr>
<td>Other non-broadbanded staff</td>
<td>Office of Human Resources</td>
</tr>
</tbody>
</table>

b. Official files must include an access record. The access record must contain the date and name of any person viewing the file except when the custodian of the file is inserting salary, insurance, medical, tax, Workers Compensation, pretax benefits, deferred compensation information or employment forms pursuant to N.D.C.C. Section 54-06-21.

5. Additional records exempt from the open records law include (without limitation):

a. Information pertaining to an employee's retirement account balance, disability applications and benefits, and
surviving spouse applications and benefits under N.D.C.C. ch. 54-52 or a plan adopted by the board (N.D.C.C. Section 54-52-26);

b. Certain economic development records (N.D.C.C. Section 44-04-18.2);

c. Trade secret, proprietary, commercial and financial information (N.D.C.C. Section 44-04-18.4 and SBHE Policy 611.6);

d. Computer software programs or components for which a copyright, patent or license is acquired (N.D.C.C. Section 44-04-18.5);

e. Attorney work product (N.D.C.C. Section 44-04-19.1);

f. Social security number, which is confidential under N.D.C.C. Section 44-04.28

6. Copies of records not exempt from section 44-04-18 shall be provided upon request. Copies shall be made of records and documents in the form filed or kept in the normal course of business and employees are not required to retrieve and collate or summarize data or prepare other special reports or documents not required by law or otherwise prepared in the normal course of business. A fee for allowing access to documents may not be assessed; however, each institution shall establish and collect a fee to cover reasonable copying costs, including reasonable cost of computer generated documents. The fee for standard paper copies may not exceed twenty-five cents per copy as provided under section 44-04-18. A fee not to exceed twenty-five dollars per hour, excluding the first hour, may be charged for locating records if locating the records requires more than one hour or for excising confidential or closed material if excising the material requires more than one hour. Access to electronically stored records is free if the records are recoverable without the use a computer backup; if a request is made for access to a record on a back-up or for a copy of an electronically stored record an additional reasonable fee may be charged to cover costs attributable to the use of information technology resources.

NDSU Guidelines:

a. NDSU has established a fee of ten dollars per page for paper copies provided to persons requesting copies under the Open Records Act. A reasonable fee can be charged for electronic copies as well as costs for the use of technology resources. A fee of up to $25/hour, excluding the first hour, can be charged for locating records or redacting information that is not open. Departments who can document a higher cost may charge more by requesting an exception from the Vice President for Business and Finance.

b. Monies collected from the persons making such requests must be deposited at the NDSU Business Office at least weekly, daily if amounts collected are $200 or greater (see policy 508.)

c. Responses to open records requests, other than routine requests in the normal course of business in an office or department, shall be coordinated through:

(1) From the media: The Office of the Vice President for University Relations.

(2) From other sources: The Office of General Counsel.
d. State law mandates that responses to open records cannot be unreasonably delayed, so that such requests must be given a high priority.

HISTORY: May 1998; revised April 2003.
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 350.3: Board Regulations on Nonrenewal; Termination or Dismissal of Faculty

Changes to NDSU Policy 350.3 are based on changes to SBHE Policy 605.3. Notice timelines have changed in Section 1. In Section 9, “sanction” now has a more narrow definition. Less severe sanctions, such as a letter of reprimand, can no longer be appealed to the Standing Committee on Faculty Rights.

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

Policy Coordination Committee - 4/21/05
Staff Senate -
University Senate –
President’s Council -

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

General Counsel (4/21/05)

SECTION 350.3 BOARD REGULATIONS ON NONRENEWAL; TERMINATION OR DISMISSAL OF ACADEMIC STAFF FACULTY

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

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

a. Notice shall be given:

(1) Not later than March 1 of the first academic year of service if the appointment expires at the end of that academic year or, if a one-year appointment terminates during an academic year, at least three months in advance of its prior to termination during the first year of probationary employment at the institution.

(2) Not later than December 15 of the second academic year of service if the appointment expires at the end of that academic year or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its prior to termination during the second year of probationary employment at the institution.
(3) At least one year prior to termination twelve months before the expiration of an appointment after two or more academic years of probationary employment at the institution. If a faculty member is appointed during the academic year, then the initial contract shall indicate when the first academic year of service at the institution begins. For the purpose of this section, "academic year of service" means on a probationary appointment. The twelve months notice may be given at any point during the calendar year and the appointment terminates twelve months thereafter. (This NDSU language clarifies the interpretation that has been applied to this NDUS language throughout the University System.)

b. A department chair, dean or other person authorized under institution policies to give such notice shall provide written notice of the decision, including a reference to the policy section pursuant to which the action is taken. The faculty member may within ten calendar days after receipt of the notice request a reconsideration by the deciding body or individual. The faculty member may incorporate a request for mediation in the request for reconsideration. The institution shall respond in writing to the faculty member within ten calendar days after receipt of the request.

Nonrenewal decisions shall be made in every instance by the University President. Recommendations for nonrenewal shall be initiated within the academic unit in accordance with Policy 352. Colleges shall have specific procedures for nonrenewal recommendations prior to the sixth year in accordance with Policy 352 and 350.3.2. (See below.) A department chair may initiate a review for nonrenewal at any time.

2. An institution may terminate a probationary appointment, effective at the end of any contract term, with no less than 90 days notice of nonrenewal, based upon a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses. The notice of nonrenewal shall include a reference to the policy section pursuant to which the action is taken. When a probationary appointment is terminated pursuant to this subsection, the provisions of subsection 1 do not apply.

3. A special appointment terminates at the end of the term stated on the contract and may be renewed at the discretion of the institution.

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

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

Resignation or Retirement

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

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

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

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

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

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

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

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

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

(1) An administrative decision to terminate a tenured faculty member within the university shall be preceded by the following steps:
(a) Consultation with the Executive Committee of the University Senate regarding the extent to which there are grounds for termination of tenured appointments.

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

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

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

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

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

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

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

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

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

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

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

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

A sanction is defined as any disciplinary action or restriction, limitation, suspension or termination of normal faculty privilege. These may include, but are not necessarily limited to, salary reduction, reassignment of duties, or letter of reprimand. A failure to give a discretionary salary raise is not normally a sanction. Actions related to salary raises are subject to the grievance policy, Section 353.

POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   **Policy 323: Selection of Textbooks and Other Curricular Materials**

   To implement NDUS Policy 611.9 and incorporate previous NDSU Policy 323 into it. NDSU Policy would prevent the author from personally receiving royalties from their texts/course materials used in a class they teach.

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

   Policy Coordination Committee: 7/21/04; 8/22/04 (tabled); 2/24/05
   Staff Senate: 4/13/05
   University Senate:
   President’s Council: 3/28/05

3. This policy was originated by (individual, office or committee/organizations):

   Craig Schnell, Provost/Vice President Academic Affairs (8/22/04)
   Rick Johnson, General Counsel (7/21/04)

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**Policy 323: Selection of Textbooks and Other Curricular Materials**

Source: NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials; President

The following rules govern selection of textbooks and other curricular materials:

1. An instructor may not receive financial compensation or any other form of remuneration, excluding supporting educational materials for teaching, from a publisher or an agent of the publisher for the purpose of selecting or assigning textbooks or other curricular materials.

2. An instructor or other employee who is paid or receives other remuneration in connection with the sale or assignment of textbooks or other curricular materials may, as provided under institution procedures implementing this policy:

   2.1 Assign all royalty payments or other remuneration resulting from assignment of the materials at the employing institution; or
2.2 Retain royalty payments or other remuneration, in which case the final decision to assign the materials shall be made as provided under each institution's procedures. (See, however, 3.1 below.)

3. With the input of faculty, student and administration, each institution shall adopt procedures implementing this policy, including a process for review or appeal.

**NDSU Interpretation:**

3.1 **Instructors who have published a textbook or other curricular materials for use in their courses, must avoid a personal profit from sales to their students.** Royalties or other income received by the instructor for those texts or materials used in the instructor’s course must be placed into department accounts for use by the department.

3.2 **Departments which prepare laboratory manuals or coursepacks for their students should arrange for them to be printed and sold through the Varsity Mart (The University bookstore).**

3.3 **An employee who feels this policy has been unfairly applied to him/her can use the normal University grievance process.**
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 337: Grade Appeals Board

Changes include a more detailed process for grade appeals and a provision for under extraordinary circumstances (such as a clear injustice or mistake), a department chair with the approval of the dean of the college may change a grade without the instructor’s approval.

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

Policy Coordination Committee: 2/24/05; 4/21/05; 5/19/05
University Senate:
Staff Senate:
Student Senate/Executive Board:
President’s Council

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

Grade Appeals Board (1/10/05; 2/24/05; 4/21/05)
General Counsel (4/21/05)

SECTION 337: GRADE APPEALS BOARD – Revision Draft

SOURCE: University Senate
NDSU President

1. A University Senate Grade Appeals Board shall be established with authority to hear charges of inequitable or prejudiced academic evaluations and to provide redress for any improper evaluations as it may find to have actually taken place.

2. The Board shall consist of the following persons:
   a. One faculty member and one alternate from each representation unit (except the College of University Studies) to be elected by the faculty of each college for three-year terms. The term shall commence on the Tuesday following the May Senate meeting.
   b. Three full-time students and three alternates, each with a minimum 2.0 2.8 grade point average and a standing of at least second semester sophomore, who have
earned at least 45 credits and have completed at least 2 semesters at NDSU, to be appointed by the Student Senate. Terms shall be for one year, commencing on the Tuesday following the May University Senate meeting.

c. A chair, in addition to the foregoing members, to be elected by the Senate membership. The chair shall be a tenured faculty member who has previously served at least a full year as a member of the grade appeals board. The chair shall serve for three years with the term to commence on the Tuesday following the May Senate meeting of the first year for which he/she was elected.

3. The Grade Appeals Board shall act in accordance with procedures approved by the University Senate.

GRADE APPEALS BOARD PROCEDURES

PREREQUISITES FOR APPEAL:

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

a. A student must initiate a request for a change of grade with the instructor within three weeks fifteen (15) instructional days of the first day of the semester immediately following the semester in which the grade was awarded. For Spring Semester courses, the request may be made within three weeks fifteen (15) instructional days at the start of Fall Semester, if the student is not enrolled for a summer term, but is enrolled in Fall Semester. An appeal is deemed formally initiated when the student presents the Grade Appeal Form to the instructor. The instructor must date and initial the form at that point. Within five (5) instructional days, the instructor shall inform the student of his/her decision, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.

b. If there is unsatisfactory decision resolution, the student must consult (1) the instructor, (2) the department chairman, and then (3) the dean or a designated college committee, proceeding from one level to the next only after an unsatisfactory resolution decision of the conflict at that level. In the event that the instructor is also the department chair or dean, he or she need only be consulted in the capacity of instructor. In the event the department chair is the dean, the next level would be a designated college committee. If a designated committee does not exist within that college, one would proceed to the Grade Appeals Board. The student shall have five (5) instructional days following an unsatisfactory decision of the appeal to continue with the appeal at the next level. At each stage, the individual considering the appeal shall inform the student of his/her decision, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.
c. The instructor must be informed of all proceedings in Section b above by the Appeal Chair.

d. Both the instructor and the student shall have the right at any time during the proceedings to call a meeting of all persons involved in submitting and considering the complaint appeal and, optionally, to invite the Board to send an observer to that meeting.

e. In the event that the instructor is no longer employed by North Dakota State University, or is on leave from the University, the instructor may designate another faculty member from within the department to represent his interest in the grade appeal. If the instructor is not available to designate a substitute, the department chair shall represent the absent faculty. If the department chair is not a neutral party, an impartial substitute shall be designated by the dean.

f. In the event that the instructor is the Chair of the Grade Appeals Board, the Board must assign another Board member to act as Chair must be assigned by the Chair from the Board members.

2. In the event of an unsatisfactory resolution decision of the conflict within the college, the student may submit a formal written appeal to the Chair of the Board. Such an appeal shall be made within three weeks, fifteen (15) instructional days after conclusion of the college proceedings as stated above. At that time the Board may either hear or refuse the appeal, depending on its analysis of the questions raised by the written appeal. Prior to making the decision, the Board may require that additional information be provided in writing by either the instructor or the student.

3. In extraordinary circumstances (such as avoiding a clear injustice or mistake, e.g., an instructor leaves, refuses to respond to inquiries about the grade, there is a mathematical error or violation of the syllabus), and after the procedures in Subsection 1 above have been completed, a department chair, with approval of the dean of the college, can change a grade without the instructor’s approval. An instructor can appeal such grade change to the Grade Appeals Board pursuant to this Policy. Colleges can adopt procedures to implement this subsection. (Note: The purpose of this provision is to avoid having to make the student go through the formal appeal to the Grade Appeals Board where the outcome is certain and clear in the student’s favor.)

4. The Chair of the Board may designate a Board member as Appeal Chair or process the appeal himself. If the Chair designates an Appeal Chair, the Chair will forward the appeal document to the Appeal Chair within five (5) instructional days of receiving the appeal. Appeal Chair should be from a school outside that of the instructor whose grade is being appealed. If the instructor is the Chair of the Grade Appeals Board, the Board members shall designate an Appeal Chair.

5. The Appeal Chair will send a copy of the appeal document to the instructor within ten (10) instructional days. The instructor will have fifteen (15) instructional days to respond to the student’s appeal.
6. The Appeal Chair will then distribute copies of the appeal document and the instructor’s response to all Board members, alternates, and the instructor within five (5) instructional days.

7. Each Board member and alternate will must email the Appeal Chair within five (5) instructional days regarding indicating either for or against the need to hold a meeting to discuss the appeal. If In order to deny an appeal, two-thirds of the members must state that the student has not made a case. If the appeal is denied, and the student is notified, in writing, within five (5) instructional days of the Board’s decision. Otherwise, If less than two-thirds of the Board members and alternates indicate that the student has not made a case, the Appeal Chair will call a meeting of the Board within ten (10) instructional days.

8. At this meeting, the Board will raise any questions unanswered by the appeal and instructor’s response. The Board will then vote to decide whether to hold a hearing based on the following criteria: the student presented evidence of prejudicial grading or raised questions of the possibility of prejudicial grading. A hearing will be scheduled within fifteen (15) instructional days if a simple majority of members vote to hold a hearing.

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

HEARING PROCEDURES

   a. If the Board decides to hear an appeal, it shall designate from among its total membership a panel of seven members to hear the appeal. Four members of the panel shall be chosen by lot from the faculty membership of the Board, and two additional members of the panel shall be chosen by lot from the student membership of the Board. The seventh member of the panel shall be the Board chairperson, who shall serve as a non-voting moderator of the hearing panel. In order to avoid any conflict of interest, a board member who feels that he/she may not be able to fairly hear a case shall excuse him/herself and shall be replaced by his/her alternate. Additionally, the student and instructor shall each have one peremptory challenge to remove a board member from service on the hearing panel. A challenged board member shall be replaced by his/her alternate. In the event that a challenged board member is an alternate, another member of the board shall be chosen by lot to serve on the hearing panel. The word “Board” shall be used hereafter in these hearing procedures to describe the seven-member hearing panel so elected, or the full Board, in the event it decided to hear an appeal of a hearing panel decision.
   b. All hearings are normally open only to those people who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the student, instructor, and chair of the Board.
c. The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings and advise his/her party. Under no circumstances will this advisor/counsel be permitted to address the Board or witnesses.

2. Evidence. Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all reasonable and relevant information to be presented for the Board’s consideration.

a. Hearsay evidence is permitted; the members of the Board may consider such evidence and assign it any weight appropriate by each individual Board member.

b. An absolute right of cross-examination is not granted under this policy. The chair of the Board will allow all relevant and reasonable questions to be placed to either party or their witnesses, but retains the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude by the Chair to respond to those questions fully.

c. Either party or their witnesses before the board will be permitted to elaborate on written documents previously submitted to the board in their oral presentations to the board.

d. Parties planning to bring exhibits to a hearing must generally provide copies of those exhibits to the other parties and the members of the board three (3) instructional days prior to the hearing to allow for a review of the exhibits and the development of any pertinent questions. The chair may permit deviations to this time restriction so long as the other party has sufficient time to prepare an adequate response.

e. The chair shall have the right to exclude from the hearing and the record any unreliable, prejudiced, or redundant evidence.

2. The Board shall allow an initial presentation by the student and then by the instructor involved, after which it may call such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.

f. On questions requiring academic expertise, the board shall rely heavily on the testimony of other members of the department involved, or throughout the NDSU academic community.

4. Both the student and the instructor shall have the right to be present during the presentation of any testimony before the Board and to address questions to any person presenting such testimony.

5. The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings, advise their party, and, with the consent of the Board chairperson, question witnesses, present arguments, and summarize evidence.
6. The Board chairperson shall have the right to exclude from the hearing and the record any unreliable, prejudiced, or redundant evidence.

7. Board hearings shall be closed to all but the parties directly involved except where both the student and instructor request an open meeting.

8. In addition to keeping minutes of its proceedings, the Board will provide for the tape recording of all testimony presented to the Board and will allow controlled access to the tape for review or transcription by either the student or the instructor.

9. The Board may not release any information about its investigation to anyone but the parties directly involved.

10. The burden of proof shall be on the student.

11. The Board's final decision in any particular case must be based solely upon testimony and other evidence given to the Board in that case.

12. A two-thirds vote by secret ballot of the Board, i.e., four of the six voting members of the hearing panel, shall be required to uphold the student's appeal and approve a change in grade.

g. In reaching a decision the board shall consider only information produced at the hearing and will evaluate the information using the "more likely than not" standard of proof. The burden of proof shall be on the student to establish that his/her grade should be changed.

h. The voting members of the board will determine, by a two-thirds majority vote, if the student’s appeal should be granted. A second vote shall then be held to determine by simple majority vote what the student’s revised grade should be. All votes shall be conducted by secret ballot.

i. All hearings of the board will be recorded up to the point of the board's deliberations necessary to render a decision. A copy of the recording shall be retained in the Office of the Provost and Vice President for Academic Affairs for a period not less than three (3) years. The board will allow controlled access to the tape for review or transcription by either the student or the instructor.

j. The Board shall allow an initial presentation by the student and then by the instructor involved, after which it may call such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.
3. Hearing outline.
   a. The Chair will call the meeting to order and will introduce the members of the board and their function within the University community.
   b. The Chair will describe the general outline of the hearing and read the evidentiary rules to the board. The chair will read the following honesty statement:

   The University expects that all information presented in this hearing will be true and correct to the best of each person’s knowledge. If a student willfully provides false information, he/she will be in violation of NDSU’s Code of Student Behavior. As a result, he/she may be subject to disciplinary action. Dishonest behavior by any faculty or staff member will be reported to that person’s supervisor for any necessary disciplinary action.

   All potential witnesses will be advised of this honesty statement in advance.
   c. The chair will excuse witnesses from the room at this point.
   d. The chair will introduce the student who will present the appeal and any evidence.
   e. The chair will introduce the instructor who will respond to the student’s appeal and present any additional evidence.
   f. The student will be allowed to present witnesses, who will be allowed to make a statement and may be asked questions by the student, instructor, and/or members of the Board. Questions by both parties may be directed to the chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the chair’s discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the chair at any time.
   g. The instructor will be allowed to present witnesses, who will be allowed to make a statement and may be asked questions by the student, instructor, and/or members of the board. Questions by both parties may be directed to the chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the chair’s discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the chair at any time.
   h. The board may compel the attendance of any essential witnesses from the NDSU academic community to present testimony. Such witnesses will be allowed to make a statement and may be asked questions by the student, instructor, and/or members of the board. Questions by both parties may be directed to the chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the chair’s discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the chair at any time.
i. The student and instructor will be permitted to ask questions of each other.

j. Final questions will be permitted by the members of the board, who may question either party and/or their witnesses.

k. The student shall have an opportunity to make a closing statement.

l. The instructor shall have an opportunity to make a closing statement.

m. Both parties and their witnesses will be dismissed for deliberations by the board and recording will stop at this point. Only board members, the chair, and the board’s counsel/advisor (if designated) may be present during deliberation.

n. The chair will send a written notice of the board’s findings to the student, instructor, department chair/head, and dean within ten (10) instructional days of the hearing. If the board votes to change the student’s grade, notice shall also be sent to the University Registrar regarding the grade change. The written notice shall include an explanation of the board’s rationale in making its decision and a signed copy of the Grade Appeal Form attesting to the board’s decision.

4. The board may not release any information about its investigation to anyone but the parties directly involved.

APPEAL

Either the student or the instructor may request within fifteen (15) instructional days of a hearing panel decision, that the full Board hear an appeal from the decision, citing the error(s) by the hearing panel that would justify a new hearing. The Board shall meet to consider such a request, but no voting member of the hearing panel shall be eligible to vote on granting a new hearing. Instead, alternate members shall replace those Board members who served on the hearing panel. If a majority of the full Board decided votes to accept the appeal, it shall proceed to hold a hearing in accordance with the hearing procedures above, again using alternate members in place of those who served on the hearing panel. The Chair of the Board shall serve as a non-voting moderator at the appeal hearing, and a two-thirds vote by secret ballot of the full Board, shall be required to uphold the student’s appeal and approve a change in grade. A separate simple majority vote shall determine what the student’s new grade shall be.

INTERPRETATION

No provision in this statement of procedures shall be construed to deny or disparage the full rights of either the student or this instructor as a citizen under the Constitution and laws of the United States.
The following policies have had housekeeping changes made to them. Changes involved changing Human Resources to Human Resources/Payroll and Equal Opportunity to Equity and Diversity.

Policy 103 - Equal Opportunity/Affirmative Action...
Policy 103.1 - Recruitment for Executive/Administrative/Managerial, Academic Staff...
Policy 104 - Recruitment Period For Position Announcements
Policy 105 - Applicant Flow Information
Policy 107 - Employment Qualifications
Policy 112 - Pre-employment Criminal Record Disclosure
Policy 120 - Employee Information
Policy 125 - Payroll Taxes
Policy 129 - Salary Administration Policy
Policy 131 - Annuities (Tax Shelter)
Policy 133.1 - Tuition Discount - Spouse and Dependents
Policy 149 - Leave without pay
Policy 155 - Alcohol and Other Drugs...
Policy 156 - Equal Opportunity Grievance Procedures
Policy 157 - Grievance Procedures
Policy 158 - Acceptable Use of Electronic Communications Devices
Policy 161 - Fitness for Duty
Policy 162 - Sexual Harassment Policy
Policy 163 - Anti-Harassment Policy
Policy 163.1 - Workplace Violence
Policy 167 - Responsibility Reviews for Non-Faculty Personnel
Policy 168 - Reasonable Accomodations on the Basis of Disability
Policy 169 - Employee Misuse of Property Reports
Policy 201 - Recruitment for Broadbanded Staff Positions
Policy 220 - Staff Job Discipline/Dismissal
Policy 221 - Broadbanded Staff Responsibility Review
Policy 222 - New Broadbanded Staff Probationary Period
Policy 230 - Grievance Procedure for Conditions of Employment
Policy 231 - Appeal Procedure for Disciplinary and Reduction in Force Actions
Policy 232 - Pre-Action Review
Policy 240 - Changing Positions - Staff
Policy 241 - Broadbanding Policy
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Policy 230 - Grievance Procedure for Conditions of Employment
Policy 231 - Appeal Procedure for Disciplinary and Reduction in Force Actions
Policy 232 - Pre-Action Review
Policy 240 - Changing Positions - Staff
Policy 241 - Broadbanding Policy
Requirements for Certifying Writing in the Discipline Courses for General Education Category 1 (C)

I. Courses to be considered for the Communication Category of General Education (Category 1) should follow the General Education “New Course” guidelines at http://www.ndsu.nodak.edu/ndsu/deott/gened/geforms.shtml.

II. In order for a writing intensive course at NDSU to be considered for the Communication Category in General Education, it must meet the following General Education Outcomes and specific requirements.

A. Students should learn to communicate effectively in a variety of contexts and genres (GE Outcome #1). In order to meet this goal, a course should include:
   1. Assigned readings in a variety of genres, acknowledging that models can be helpful for writing and that good writers are typically good readers.
   2. Multiple writing assignments, with at least two different genres of writing assigned.
   3. Structured elements within a course that will promote drafting, revising, and editing.

B. Students should learn to integrate knowledge and ideas in a coherent and meaningful manner (GE Outcome #6). In order to meet this goal, writing assignments should include:
   1. Reading of primary or secondary sources as a prompt or starting point for writing.
   2. Research (field, lab, or library) that will be integrated into a written document.
   3. A clearly specified audience and context for writing.

III. A writing intensive course at NDSU must also include:
   A. English 120 as a pre-requisite.
   B. Three credits.
   C. A student cap of 22 is strongly recommend but not required.
   D. At least three writing assignments.
   E. Opportunities for revision.
   F. The production of at least 15 pages of finished text or an appropriate equivalent in another medium.

Rev. 8/31/05
Mp
Revised Vertical Writing Motion (9/12/05)

I) **Rescind motion**: to remove ‘ENGL 110 as a required course and renumber it accordingly effective fall 2006’ (from 2/14/05 minutes).

II) **New motion**: to increase NDSU General Education requirements as follows, effective for new students entering NDSU during fall semester 2006:
   a. Communication Category (C) changes from nine to **12 credits** (9 writing and 3 public speaking credits); and
   b. Total required General Education changes from 36-37 to **39-40 credits**.

III) **Implementation details**:
   a. Students who earn an ACT composite score of 21 or higher will be exempt from ENGL 110 and allowed to take English 120. Three (3) special exams credits (Pass) for ENGL 110 will be applied to their records if they earn a C in the 120 course. A student who receives a D will not receive credit for 110 and must either take English 110, retake English 120 to earn a higher grade, or take two upper-level General Education writing intensive courses. A student who receives an F in 120 must either take English 110 or retake English 120 to earn at least a C.
      
      The English department will work with the Registrar’s office in order to establish the best way to notifying students of their requirements when they receive a D or an F in English 120.
   b. The English department will develop upper-level writing courses, such as Business and Professional Writing, Writing in the Sciences, and Writing in the Humanities and Social Sciences.
   c. The Center for Writers and the English department will assist other departments that desire to create their own writing-intensive course. Such discipline-specific courses will qualify for upper division writing credit in Communication Category C if they pass the approval process.
   d. The approval process for new courses involves obtaining a letter of support from the English department and then sending the course proposal with the letter of support through the normal channels (department curriculum committee, college curriculum committee, Academic Affairs Committee). The Academic Affairs Committee then sends the proposal to the General Education Committee for its approval as a writing-intensive course. Both Academic Affairs and General Education present the course to the University Senate for approval.
   e. The approval process for existing courses involves sending course materials to the General Education committee along with a letter of support from the English department. The General Education Committee then presents the course for approval to the University Senate.
f. Academic programs will be encouraged to adjust their degree requirements to incorporate an upper division writing-in-the-disciplines (WID) course that has earned General Education approval.
g. Programs that use ENGL 110 as part of selective admission formula will need to reformulate using the grade earned in ENGL 120.
h. Students who have completed GERs (A.A., B.S.) elsewhere will be exempt from taking an additional upper-division writing course, unless their program degree schedule requires an upper-division, writing-intensive course.

Students with AP credit scores of 3 in Language and Composition or in Literature and Composition will continue to receive credit for English 110; those with scores of 4 or 5 will receive credit for English 110 and English 220. Students with a CLEP score of 50 will be given credit for English 110. These are NDUS policies.
Resolution: Change in ‘Statement of Affiliation Status’ from Higher Learning Commission.

Whereas North Dakota State University is applying to the Higher Learning Commission of the North Central Association of Colleges and Schools for continuing accreditation for an additional 10-year period; and

Whereas North Dakota State University has extensive experience and faculty expertise in developing and delivering courses for distance delivery; and

Whereas North Dakota State University had HLC, approval for distance education; and

Whereas delivery of degree and certificate programs is currently processed through the North Dakota University System - Online; and

Whereas opportunities to develop and deliver on-line degree programs will be expedited by institutional authorization to provide students with anytime, anyplace degree programs; and

Whereas North Dakota State University will apply to the Higher Learning Commission for permission to offer degree and certificate programs by distance delivery;

Therefore, be it resolved that the faculty, staff, and student members of the University Senate support and encourage North Dakota State University to request a change in the official Statement of Affiliation Status from the Higher Learning Commission for authorization to offer degree and certificate programs by distance delivery.
North Dakota State University

Date of these diplomas: May 13, 2005

Bachelor of Fine Arts
Rachel Lee Clapp
Amanda J. Henderson
Mark J. Hurst
Michelle Carline Ruth

Bachelor of Arts

College of Arts, Humanities & Social Sciences
Leah Michelle Armstrong ... With Honor
Bryon Oliver Bellerud II
Sarah Anne Benson
Brian L. Erenberg
Vylad Patrick Grindberg
Jessica Jeanne Herbold
Matthew David Langemo ... With Honor
Amber Alexis Ahl
Daniel Dale Detal Anderson
Amanda Danielle M. Armstrong
Katie Anne Arzt
Christopher Lee Augustin
Eric David Auwarter
Aaron R. Bartholomay ... With Honor
McKenzie Ann Berge
Kyle R. Brossart
Jessica Renee Christenson
John Bradley Christianson
Jesse Jay Cook ... With Honor
Catherine Eileen Coad
Melissa Sue Bernice Current
Jennifer Lynn Dale ... With Honor
Justin W. Daniels
Corey John Darthe
Sarah Elizabeth Dennis
Steven Ross Doom ... With Honor
Ronald Wayne Duvall ... With Honor
Shane Justin Eggel
Rachel Elizabeth Eichholz ... With Honor
David J. P. Erbes ... With Honor
Leif Jon Erickson
Christopher Otto Erlandson
Cristy Maria Eevensvold
Nathan J. Fegley
Tina Dawn Firke
Jason John Frye
Collin Ward Galbreath
Memory Jean German
Zachary Curtis Hall ... With Honor
Jameson Lee Hallof
Justin Alan Halvorsen
Daniel Jeffrey Hawkins
Jacob Jarvis Hegland
Bethany Ann Henneman
Aaron D. Hertz ... With Honor
Darren Kevin Hertz ... With Honor
Ross Jeffrey Hillerson
Jeremy J. Houser
Kara Ruth Hoverson ... With Honor
Jenna M. Jansen ... With Honor
Karol N. Jodock ... With Honor
Carly Maureen Jones
Michael J. Keller ... With Honor
Kari Renee Kempel
Catherine L. Krawczak
Cody L. Krell ... With Honor
Craig Charles Kreitky
Dusty Lee Kunkel
Douglas John Kuttner
Carrie L. Lauer ... With Honor
Derek Marvin LoClair
Linda Diane Lohrke
Laurie Ann Leibel ... With Honor
Danae Wood Lodoen
James Ryan Loken ... With Honor
Brian Hugh Lougheed
Joel Alan Mathiason
Melody Dawn McConnell ... With Honor
Casey Randall Meduna
Benjamin John Mergen
Jeffrey David Miller
Kari Jo Miller ... With Honor
Cody Lee Montgomery ... With Honor
Pamela Annette Mundeck
Brian Thomas Nordick
Lee Adam Novak
David William Nowatzki
Colleen Schiedler O'Bryant
Dustin Michael Olmschenk
Craig M. Olson
Jodie Marie Pedersen
Charles Richard Perry
Kris Allan Petersen
Brian Layne Peterson
Erica Kay Peterson ... With Honor
Justin Thomas Platz
Joshua J. Popp
Cody John Pratt
Lance Douglas Presser
Dustin Daniel Renusch
Elizabeth Ann Rettedal
Thomas Carlton Richman
Jordan Marshall Sand
Mark Michael Satriom
Matthew A. Schafer
Jay Willard Schnell
Amber Marie Schueler
Alison Mac Schuette
Kristopher Kevin Stagier
Beth Anna Stollenow ... With Honor
Dustin Scott Theuerer
Cliff Lee Tollefson
Sally Lynn Trottier
Christopher Steve Walberg
Darrin Allen Walker
Jared L. Walz
Adam John Wanner
Kari A. Wanner
Darrick Steven Weissenfuh
Daren Kenneth Wilcox
Scott C. Zalondek

College of Human Development & Education
Matthew Allen Larson
Kelli Anne Marrian

College of Science & Mathematics
Stephanie Lynn Bengs
Joshua Alan Cornelius ... With Honor
Elizabeth Ann Federer
Marie Angela Schaa ... With Honor
Terrance Michael Volbaum ... With Honor
Nathan Mark Ingebretson ... With Honor
Kari Ranae Winning ... With Honor
Robert W. Rogge
Aaron L. Rosencrans
Miouko An Ryoo
Benjamin Warren Scheeler
Daniel Doyle Schulz
James Nicholas Sele ... With Honor
Jamie Marie Skroch
Kari Kranes Winning ... With Honor

College of Agriculture, Food Systems, & Natural Resources
Amber Alexis Ahl
Daniel Dale Detal Anderson
Sarah Louise Becker
Loran Daniel Berg
Erika Lynne Besciker ... With Honor
Lindsey Rae Bravold ... With Honor
Randy Lee Birkhartsmeier
Allen Burrell, Jr.
Sarah Rachel Chapman
Raam Chunwongs
Joanna Emily Christenson
Troy Eric Davis
Branden L. Eisiel
Crystal Sue Fabian
Heather Faye Fercho
Azer Gusevic
Matthew Bruce Goecke
Thomas Matthew Grosz
Matthew Jerome Grunenberg
Gayle Lorraine Harren
Ryan Richard Haskell
Heather Ann Henderson
Darik Ray Hoff
Anthony Joshua Hoy
Nathan Mark Ingebretson ... With Honor
Kyle J. Jahn
Derek C. Johnson
Jacob Matthew Johnson
Joey R. Joyce
Dustin Charles Kitzman
Daniel Wayne King ... With Honor
Charles Tyler Knapp
Seth Thomas Knudsen ... With Honor
Kurt Jeremy Kopperud
Julie Diane Lang
Kathleen Marie Mahar
Michael D. Maring
Timothy Gene Arlan Mattson
Julia Elizabeth May
Lauralea Irene McElvers
Jessica Marie Messmer
Brady James Metz
Chris Alan Meyer
Matthew Christopher Miller ... With Honor
Melanie Jay Moen
Amy Marie Neveel ... With Honor
Stefanie Jo Neill ... With Honor
Melissa Mae Neitzke
Sarah J. Niemann
Matthew R. Niemeyer
Ross Allen Nilson ... With Honor
Jennifer Jean Patera
Seth F. Patera
Brad Alan Patzner
Priyeshni Jayathika Perils ... With Honor

University Senate Minutes
North Dakota State University
September 12, 2005
Attachment 16
University Senate Minutes
North Dakota State University
September 12, 2005
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Matthew George Popin
Amanda Jo Pillatzki
Scott Allen Quenette
Russell Anthony Remmick
Eric Gregory Rempfer
Daniel Lee Salander
Mark J. Sanders
Alison Scarski
Kim K. Schaff  With Honor
Serena Ann Schmidt
Lynnette Kay Sedgeman
Derek W. Selt
david Justin Smith
Ross Joseph Studakske
Joshua T. Staley
Lindsey Ann Steen
Rick J. Stenberg
Nick Dennis Stromberg
Joshua Allen Swanston  With Honor
Joshua Jon Thompson
Tyler Kent thanon
Dustin Levi Trice
Jane Marie Vangness  With Honor
Christopher Thomas Volk
Erik Anthony Wall
Jeremy David Wheeler
Erin Nicole Wilson
Amanda Lynn Wisch  With Honor
Allan Cole Woodstrom
Steven Matthew Zeller

College of Business Administration
Joshua R. Anderson  With Honor
Matthew Scott Anderson
Jacob Lee Anstad
Geoffrey Brown Baker
Abigail Lynn Baber
Kasey Cole Bartholomay
Alyssa Louise Berg
Sarah Ann Bickett
Ashly Ryan Bjørke
Solomon Bjørke
Kallie Denise Bjornstad
Julie Jean Bowen
John Patrick Bradley
Thomas Jay Brandt
Joseph Thomas Bricks
Luke Thesing Brisk
Amanda L. Brueberg  With Honor
Ryan Bryn  With Honor
Jason James Bulcholz  With Honor
Amber Lee Burgad
Stephen Michael Cersine
Andrew Davis Cook  With Honor
Michael Ryan Cooper
Tracey Marie Cummings

Darrin T. Devine  With Honor
Jacob R. Elseth
Dustin Jay Everson
Joshua William Fletcher
Adam John Fletcher
Lee J. Grant II  With Honor
Christopher Paul Gust
Luke Orville Hagen
Danelle Mary Hagner
Nathan Allan Hamblin
Jared Thomas Hardy
Lacey Dee Harrington
Elizabeth Ann Haugen
Joshua Erwin Haugen
Carol Lynn Heggenes
Ryan Christopher Henderson
Kyle J. Herman  With Honor
Daniel David Hodgson  With Honor
Robert Michael Jentz  With Honor
Gunnar Gunnar Joerger
Brandon Lee Johnson
cassie Lynn Johnson
Joshua Lloyd Johnson
Lacey Mae Johnson  With Honor
Patrick J. Kolbe
Matthew Vincent Kern
Amer Abu-Khasan
Mauris Martin Kilber  With Honor
Tyler Timothy Kloos
Kasper John Kolbe
Ross Michael Kramer
Jennifer Amy Krulik  With Honor
Brandon H. Kraus
Pamela Michael Kuta
Rebecca K. Lebrun  With Honor
Ryan Paul Lund
Kristine Marie Lundebrek
Drea Nicole Luuosl
Joseph S. Mrzlach
Dustin Charles Masset
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Lucas Kevin Miller
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Seth Thomas Novak
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Drew R. Olafson  With Honor
Lisa Kae Pagels
Peter J. Pazdernik
George Perlindefeun
Marie E. Peterson
Jon Daniel Prussing
Brian Warner Putnam
Tyler John Randklev
Amanda Lee Rodakowski  With Honor
Riley Henry Rogers V
Ryan Dean Rosenhald  With Honor
Eric Robert Sand
Jennifer Clare Schumacher
Michelle Lea Schwoch  With Honor
Amber Marie Seibert
Brandon Erik Seifert
Andrea Lee Shaw
Cole David Simmionow
Michelle Marie Spitzer  With Honor
Tara Marie Stadheim
Darren Allen Stenslie
Peter Benjamin Stuart
Katie Louise Westgard  With Honor
Colin Royce Witt
Justin Robert Woods
Michael Joseph Zerr
Melissa Joy Zietlow

College of Engineering & Architecture
Andrew David Aakre  With Honor
Tyler Clay Albert
Michael Joseph Albertson
Karla Jean Aldinger
Mathew Kenneth Andersen
Brett Darwin Anderson
Craig M. Anderson
Jill Kristine Anderson
Kaleb Del Anderson  With Honor
Daniel Ross Annonen
Robert Leander Arceneau
Leah Michelle Armstrong  With Honor
Darell E. Arne
Yuriy Atanasov
Jonathan Alan Atkins
Travis Sheridan Bean
John Alvar Becker  With Honor
Valerie Cheryl Bengtson
Michael Allan Benson
Andrew T. Berg
Jill Marie Bernhagen
Thomas Herbert Bertram
Corey James Beste
Andrew John Betcher
Mitchell John Bieber
Kate Marie Bielejski
Mark Werner Binstock
Gilbert Steven Bisek
Linn A. Bjornrud
Kate Althea Borshinke
Patrick Ray Brandt
Justin Edward Brotzler
Tadd Joseph Busch
Jason Donald Cun
Thomas Henry Calgano  With Honor
Joel Tyler Carlson
Nathan James Carlson  With Honor
Barry Nash Carnes

Jason Kevin Chisholm
Rebecca Lee Collis
Michael Thomas Conlon  With Honor
Russell Philip Cook
Dean Cole
Robyn Renee Crussel
Kory James CWikla
Travis Wayne Dahlen
Christopher Alan Dahlke
James Alan Dahman
Recky Erin Dauer
Brian James Dodd
Douglas Darin Drager
Keith Carl Driessen
Jason Michael Drouillard
Michael Kevin Eckmann
Deven John Elia  With Honor
Todd James Enter
Shaun Chien Elhar
Leon M. Emmitt
Jacob Francis Erbele
Tanner Lee Erickson  With Honor
Nathan Robert Evenson
Daniel Patrick Feser
Zachary John Fiechtner
Dominic L. Fischer
Aaron Floeter
Scott Bradley Fluge
Lee Wesley Froemke
Dana Lee Froemming
Thomas Joseph Fuchs
Steven A. Fuller
Jacqueen Kay Gastecki
Abbie Ray Gibbs
Mark Anthony Glennon
Jeremy Lee Graham
Travis Joseph Greff
Ty David Greiff  With Honor
Nichole Marie Haan
Jonathan Michael Hager
Gregory Joseph Hander
Robert Judson Hamby
Christopher Lee Harris
Clint Raymond Hart
Rob John Hasey
Jesse Mac Hefner
Jeffrey Blake Heinl  With Honor
Aaron G. Heinst  With Honor
Timothy E. Heitkamp
Phyllis Carol Hejl
Mark Werner Heitkamp
Nicholas Michael Held
Heather Lorraine Helland
Jesse John Helland
Reggie L. Heilng
Benjamin John Henderson
Michael Dean Henke
James Paul Helland
University Senate Minutes
North Dakota State University
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Brittany Jean Lapash
Jennifer Erin Lee ... With Honor
Lindsay Kaye Lee
Cassandra Anne Lemar
Stacie Leigh Lemmens
Sara Margaret Lepp
Rachel Ann Lindgren
Kayla Marie Lukenbach
Jamie Lynn Lunde
Trista L. Mankowski ... With Honor
Laura Anne Martin ... With Honor
Valerie K. Martin
Leah Marie Maas ... With Honor
Lisa Marie McGregor
Emily Louise Michels
Shari Lynne Moe
Matthew Robert Moore
Jennifer Lynn Morken
Shannon Louise Nelson
Aaron Kyle Nelson
Robin Marie Nedder 
Mark Kelly Neset ... With Honor
Erik Mikel Nestoss
Amber J. Novouy
Jamie R. Oelke
Krisanna Nicole Peterson
Amber Dawn Phelps
Robin M. Priebe ... With Honor
Frances Arleen Rise
Rebecca Michelle Holtecke
Angela Marie Rybarczyk
Christopher David Rylander
Angela Dawn Sandness ... With Honor
Tera Lee Sandness
Carmen Louise Sauvageau
Alesia M. Schilke
Amanda J. Schneider ... With Honor
Saranne Schultz
Amanda Marie Skaja
Maren Elizabeth Skjoiten
Kristen Marie Spaeth
Jennifer R. Staunbook
Dustin Edward Steenblock
Amanda Jo Thieschafer ... With Honor
Shauna Rae Thomas ... With Honor
Jasen Wayne Triplert
Sara K. Urbanoski
Robin L. Vandersloot ... With Honor
Jessica Lea Veiss
Jennifer Marie Vollmer
Jane Lystne Voltin
Kelly Ann Wall
Markell Lorene Wanzek
Rebecca Ann Welty
Lindsey E. Wood
Patricia Ellen Yager

College of Pharmacy
Marcus R. Aasen ... With Honor
Wendy Ann Axtell ... With Honor
Garrett Mark Anderson
Jessica Lynn Anderson
Michael James Anderson
Rebecca Lynn Anderson
Lacey Lee Armstrong ... With Honor
Megan Elizabeth Axtman ... With Honor
Jennifer Marie Bach ... With Honor
Lara Marie Bledsoe ... With Honor
Adam Randall Bennett
Andrew Kingdon Berg ... With Honor
Allison Christof Bergman ... With Honor
Andrew M. Bilecki
Pamela Nicole Blagden ... With Honor
Regina Kay Blevins
Jennifer Joan Bodmer ... With Honor
Jackie Lynn Boots ... With Honor
Jeffrey Craig Braulat
Phillip Joseph Breker ... With Honor
Dustin Lee Brinkman
Brian Michael Carlson ... With Honor
Michael Anthony Cinnamon
Dustin Edward Steenblock
Jami Lynn Corder ... With Honor
Lisa Marie Cording ... With Honor
Jaron Daniel Cusato ... With Honor
Laura Louise Cueva
Katti Margaret Duttonhefer
Danielle Jo Elta
Eria F. Eng~ ... With Honor
Renae Lynn Fjeldheim ... With Honor
Preston Michael Forsberg ... With Honor
Christian Gabriel Forsmark
Heidi Gabriel ... With Honor
Davina Lynn Gabrielson
Jamie E. Gilles
Rachel Marie Gilles ... With Honor
Gregory David Glinzki
Brianna Lynne Gohdes ... With Honor
Gabriel Thomas Gratz ... With Honor
Mark James Hardy ... With Honor
Brooke Elizabeth Hartman ... With Honor
Krist Marie Hatt ... With Honor
Justin Lee Heiser
December Dawn Herman
David John Holmquist
Jaana Michelle Josephson ... With Honor
Elizabeth Therese Kadamus ... With Honor
Nicole E. Keller ... With Honor
Lindsey Kaye Killough ... With Honor
Young-Hee Kim ... With Honor
Shawn Joseph Kram ... With Honor
Ashley Marie Krump ... With Honor
Colleen A. Matthews ... With Honor
Mollie Rose Mattes ... With Honor
Jacob Steven Moch
Rebecca Jane Morland ... With Honor
Cheyenne Lynn Nehring ... With Honor
Melissa Nicole Nouri ... With Honor
Ole J. Olson
Kyle John Raadt
Katie Alayne Raach
LeAnne Marie Rathjen
Justin Daniel Richard ... With Honor
Benjamin J. Richards ... With Honor
Brent Michael Ritter
Leslie Robin Sailor
Amy Katherine Saunders
Chelsey Morgan Schlueter
Darcy Rae Schroeder ... With Honor
Kyle Michael Schwandt ... With Honor
Jeffrey Scott Shorten ... With Honor
Dawn Sibanda
Molly Elizabeth Skidstads
Jason Lee Swearingen
Daniel Mark Teich
Nicholas Eugene Thomas
Stacey Marie Tischer
Raymond Cyril Tract
Katherine Marie Weber ... With Honor
Kyle Marvin Weiler ... With Honor
Christopher Alan Wessling ... With Honor

College of Science & Mathematics
Whitney Joy Ahlvers ... With Honor
Allison Kaye Albrecht ... With Honor
Jared Charles Allar
Ryan Patrick Anderson
Wendy Joy Arndt
Katie L. Anne
Sarah Jean Baker
Paul Michael Barron
Karen L. Beckman ... With Honor
Jeffrey Kent Boldow
Landon Lowell Bladow ... With Honor
Robin Marie Brisky
Marie Amber Bryhn
Andrew Joseph Burgard ... With Honor
Randy W. Burke
Crista Carolle Christine Carlson
Lucas Abraham Christianson ... With Honor
Justin Lee Costa Rica
Stefanie Karlee Costco Costa Rica
Misty Dawn Dannell
Emily A. Davenport ... With Honor
Renee S. Degele ... With Honor
Miranda Elizabeth Dubsitz
Jared J. Docktor
Kimberly D. Dunn
Cheyenne Marie Eflinger
Caleb Arlin Eide
Nicholas Daniel Endersson
Matthew Keith Ennis ... With Honor
Wesley Isaac Erdle
Michael J. Eskelson
Itunu Famakinwa
Sheldon Jay Fettig
Kayla Jo Feortisch ... With Honor
Derek John Ford
Megan Lynn Franklin ... With Honor
Roark Thane Franklund
Ryan Allen Frieling ... With Honor
Richard Steven Frome
Peter F. Garcia
Mark Christopher Goetz
Matthew Ernest Gordon-Jackson
Josephine Chantell Girenquist ... With Honor
Kenneth Daniel Gros ... With Honor
William Keith Haisch
Elinor Sue Hammond ... With Honor
Daniel O. Haner
Marissa Lynn Harley
Ann M. Haugen ... With Honor
Jesse Reuben Hegland ... With Honor
Jordan Marie Henkel ... With Honor
Christopher S Heyne
Derik Peter Hoener ... With Honor
Dilan V. Hoff
Adam J. Holteke
Brock C. Holom
Seth A. Huber
Eric Michael Hughes
John Lee Isley Jr.
Jeffrey Michael Jenkins
Xiao Guang Jia
Travis Jon Johnson
Rachel Anne Kasa
Martin Michael Knoll
Damion Jon Knudsen
Brandon Richard Knutson
Jesse Reuben Hegland
Troy Douglas Kummer
Joseph Allan Lindahl
David Joseph Lorenz ... With Honor
Stacy Marie Loste
Drew Robert Magstadt ... With Honor
Cassie Sue Mair ... With Honor
Jerome Edward Malheime
McKee Lee Manzer
Abigail Valerie Joy Marohl
John Charles Maxwell
Derek Paul Melicher
Lynnae Rita Monson
Mari Rebecca Negraer
Matthew Ray Neibauer
Kory James Nordick ... With Honor
Bachelor of Science in Nursing

Andrea Marie Anderson ... With Honor
Lacey Lee Bergh ... With Honor
Mari Leigh Bjorkman
Dustin James Carda ... With Honor
Ruth Erin Carda
Sara Marie Case ... With Honor
Kayela F. Chrest
Kristin L. Clements
Toni Lynelle Dahlmeier ... With Honor
Heather E. Dean
Kerry Lea Dolan
Jessica R. Forsman
Jon Daniel Svingen Fransen
Rachel Ann Friesen ... With Honor
Raul Gonzalez
Sara L. Groenher ... With Honor
Lois Helen Heideman ... With Honor
Deborah Jo Neill Hogen ... With Honor
Molly Ann Howittson ... With Honor
Lacey Marie Johnson
Annie Jo Kitman
Katherine Lenoire Lane ... With Honor
Nathan Edward Mark ... With Honor
Amanda K. McNutt
Jessica Michelle Metzger
Courtney Michelle Neill ... With Honor
Natalie Jo Nielsen
Emily Louise Pearson
Kimberly Rae Pedersen ... With Honor
Paula Annette Peterson ... With Honor
Cynthia Ann PiekarSKI
Lisa Marie Rham ... With Honor
Kristen Marie Richter ... With Honor
KeviN Daniel Roark ... With Honor
Heidi Lynn Saarinen ... With Honor
Cindy M. Schmitz
Nina Rose Schumacher ... With Honor
Nicole K. Shigg
Carolynne Anne Simonion ... With Honor
RaeAnne Joelle Skattum ... With Honor
Kathryn Ann Smith
Jodi Lynn Terpstra ... With Honor
Nicole McKenzie Wagner ... With Honor

Bachelor of Accountancy

Brian Duane Axness ... With Honor
Deirdre Leigh Dally ... With Honor
Ryan Scott Donahue
Amanda Jo Engel ... With Honor
Melinda Sue Erhardt ... With Honor
Phillip David Gaugler
Lyndsey M. Gerving ... With Honor
Tina Marie Lesmeister ... With Honor
Kristine Marie Lundebrak
Jennifer Grace Miller
Heidi Brooke Richtsmeier ... With Honor
Jennifer Rebecca Shelbourn
Anne Margaret Stoll
Brandon Michael Vaughan
Sarah Ann Wilm

Bachelor of University Studies

Melissa Claire Bergman
Ramona Joanne Breuer ... With Honor
Peter Joseph Campion
Rebecca Lynn Carpenter
Mark Andrew Haffeman
Gregory Brian Kiess
Emery James Kuhlmeeyer
Katharine A. Mitchell
Bardli Naudebon
Linda Anne Oden
Daniel Hughes Otis
Jennifer Rae Rinziquint
AmanduA Ruth Wehrspann
Anthony C. West
Brian K. Wittman

Bachelor of Architecture

Kara Jean Aldinger
Leah Michelle Armstrong ... With Honor
Travis Sheridan Bean
Valerie Cheryl Bengston
Jill Marie Berndagen
Corey James Beste
Linn A. Bjorrud
Katie Alanthea Borhinde
Jason Donald Cain
Jason Kevin Chisholm
Rebecca Lee Collins
Becky Erin Dauer
Douglas Raymond Drager
Michael Kevin Eckmann
Abbie Ray Gibbs
Ty David Greff ... With Honor
Heather Lorraine Hailand
Jesse John Helland
Reggi Lynn Helling
Tammy J. Hieb
Brianna Catherine Hines
Lisa Kristen Jerke ... With Honor
Jeremy Matthew Jorgensen
Matthew William Kalbus
Tyler Joshua Kavaughn
Erin Rae Kelash ... With Honor
Sara R. Kempton
Andrew Evan Koedam ... With Honor
Eric John Larson
Katie Rose Merten
Darla Jean Michelau
Craig Domn Michels
Tiffany Ann Miller ... With Honor
Greg Orlin Oakland ... With Honor
Babatunde Olusanya
Angela Marie Ottosen
Kristoffer Lind Pederson
Corey Allan Peterson
Russel John Pfaff
Rachel Marie Roipel
Michael Jeffrey Rueter
Ryan John Schlosser
Amanda Mae Urban

Bachelor of Landscape Architecture

Dominic L. Fischer
Christopher Lee Harris
Phyllis Carol Hejl
Jennifer Dianne Holien
Benjamin Peter Iwen
David Neil Jerke
Laura J. Oja
Amanda Marie Prosser
Melissa Ann Schlukebier
Gregory John Stachon
Robert Louis Stein
Stacy Marie Wilhauer ... With Honor
Chad Michael Zander

Doctor of Pharmacy

Rayf Abouezz
Andrea Lynn Anderson
Brian Dawn Aurit
Michael James Ausmus
Amanda Rae Berg
Gwendolyn Amy Bisek
Allison Ruth Chapin
Adrian Robert Cook
Nicole Marie Danielsen
Christopher David Determan
Suzanne Marie Dietrich
Tanya L. Dockter
Michael Allen Dosch
Nathan Joseph Flick
Gina Mae Frederick
Sarah Ann Fussy
Jeffrey James Gaarder
Amy Lynn Gaddie
Sherry Thabet Ghabrial
Gregory David Gliniski
Shannon Lane Hanson
Dawn Lynn Hertz
Lucas V. Hoescht
Amanda Patrice Holicky
Rebecca Lynn Huettl
Stephanie Ann Jacobs
Jamie Lenore Jacobson
Sadie Rye James
Heather Sheree Johnson
Jessica M. Kilzer
Jessica Marie Kremer
Lindsay Ann LaFleur
Crystal L. Lipp
David John Lommel
Jesse Lee Lunde
Kjirsten Michelle Malmquist
Gregory Patrick Marn
Alyssa Jo Moen
Amy Marie Motschenbacher
Rhrelle Renee Neveel
Amanda Rae Nelson
Annette E. Nganje
Shawn Patrick Pritchard
Dawnte’ Michelle Reed
Jaycee Rae Reisenauer
Kathryn Ann Resch
Desri Michelle Rogstad
Timothy Quinn Schardt
Jennifer Renae Schiff
Thomas Alan Schmitz
Nathan Glen Schwab
Shelly Rae Schwantes
Lance Jerald Sedevie
Julie Rae Seidlinger
Charles Patrick Semling
Shane Marie Thomas
Tina Nicole Triepke
Joan L. Viets
Alen Thomas Weisenberger
Amanda Beth Welsh
Amy Beth Werremeyer

Master of Arts
Bethany Eastvold
Kendra Susan Faiman
Shawn Fisher
Gregg Preston
Mitchell Emerson Raile
Bernadette Tiapio
Amanda Schon Mack
Lisa Moon
Jacquelyn L. Schluchter

Master of Business Administration
Andreas Faye Anderson
Magdalena Borowicz
James A. Buchfink
Brent A. Ehrics
Jesse Alan Hecht
Jessica Hoppe
Jason Lee Johnson
Jeremiah B. Johnson
Trevor Allen Johnson
Caleb Dean Jones
Travis D. Knutson
Kristine Marie Lunde
Kelly Loren Menz
Wayne Barry Mooney
John Nyagaka
Darin Lynn Orvik

Jamie Ray Porrus
Jennifer Pytlak
Mark Joseph Rheault
Kurtis David Riffle
Kris Michelle Santjer
Jodi Dawn Sorenson
Carolyn Naomi Tinjum
Jacob William Towers
Anthony David Uhlir
Sheila Ann Zerr
John Brandon Zetocha

Master of Education
Courtney Rachael Arnsen
Stacey Lea Eskelson
Louie Galland
Christopher Michael Gast
Jacqueline Michelle Holm
Jennifer Lynn Lunde
David Allen Marquardt
Darcy Ann Meier
Andrew G. Meschke
Leny Paul Ohlhauser
Brendon T. Parsley
Tim D. Peterson
Karine Pogosyan
Jennifer Reid
Mary H. Rotenberger
Robby Eugene Voigt

Master of Science
Doaa H. Abouzaid
Jon C. Anderson
Clarissa De Souza Barata
Dante Battocchi
Lee Taylor Beavais
Sarah Bedgar
Matt Thomas Berseth
Todd Braun
Aishwarya Canniputhur
Binita Chandra
Nakul Chandalker
Hongmei Chen
Jason Alan Christopherson
Mandy Jean Clemenson
Bradley D. Cogdill
John Barrette DeHaan
Matthew Philip Dewald
Duduzile L. Dludlu
Shan Duanmu
Thomas Foissey
Brian David Freeman
Qing Gu
Jeremy John Gustin

Xavier Henry
Christopher James Hetzler
Siu-Wa Ho
Yuehong Jiang
Ted Michael Jirik
Ellen Margaret Lugen Johnson
Ezaz Khan
Justin O. Knott
Christa Noel Kaudson
Ryan Lumb
Jennifer Lind
Zachary Arthur Miller
Tania Nanna
Daniel D. Nelson
Laura Elizabeth Nelson
Lisa M. Nordick
Brad J. Nordstrom
Sinduha Subramania Pillai
Prakash Ranganathan
David John Richman
Bryan Dennis Satriowich
Nihar Sarkar
Steve R. Saxlund
Lori A. Scharmer
Michael James Schmitz
Patti L. Senechal-Willis
Crystal Ann Shawley
Biana Shihubrut
Kyle Ellen Sisk
Kathleen Sigler
Shalini Sinha
Susam Spinsh
Manohar Sreekantharadhya
Janelle Jay Stahl
Guorong Sun
Napoleon Tadatada
Olga M. Ter-Grigoryan
Michael L. Thompson
Emily Anne Marie Tron
Ann Marie Werlinger
Shanhong Wu
Sun Xu
Yi Zhang

Doctor of Philosophy
Mohammed Khorshed Alam
Helene Barcelo
Katherine Susan Coyle
Jeremy Gunn
Hana Hammad
Curtis D. Hill
Timothy James Johnson
Nam Eok Joo
Balasubrahmanyam Kottappalli
Kenneth Edward Lamb
Melissa Ardele Lewis
Baba Medhi

Certificate
Jeremy Beau Roseen

Brian P. Meier
Hassan Mohammad Najadat
Melissa Joy Toepke-Peterson
Zhiyong Yang
North Dakota State University

Dates of these diplomas: August 5, 2005

Bachelor of Fine Arts
Jennifer Ann Brandel
Judith Caroline Feist

Bachelor of Arts
Corey John Hansen
Amanda Nicole Kauflmann
Kristina Kay Miles

Bachelor of Science
College of Agriculture, Food Systems, & Natural Resources
Justin J. Beckstrand
Chad Michael Cata
Nichelle J. Dehler
Alicia Lynn Fasching ... With Honor
Stacy Jo Geyer
Carrie Dawn Harviel
Stacy Jo Geyer
Alicia Lynn Fasching ... With Honor

College of Arts, Humanities & Social Sciences
Lindsay A. Aarestad
Kelsey Jae Boettcher
Joshua Adam Ely
Gail M. Hanson
Thea D. Hanson
Matthew B. Lutz
Abdul Rahman S. Magba-Kamara
Jana Lynn Markel
Kristie Marie Morales
Jason Lloyd Nelson
Scott K. Nelson
Ann M. Stern
Jeremy M. Vaux
Loralei Schwankl Young

College of Business Administration
Makafui Yao Amenuvor
Naomi Jo Braeuth
Jeremy Jo Breundemuhl
Angela Carol Burwell
Nicholas John Casavan
Matthew Thomas Dullea
Matthew Lee Eidenschink
Timothy Paul Erickson
Ryan Matthew Fogel
Kelsey A. Foldesi
Ryan Dustin Heilman
Abbey Jo Hoffer
Justin Edward David Holland
Michael Thomas Kohler
Erin Marie Loken
Ross Andrew Lyken
Bradley Allen Peterson
Thad Jacob Pike
Matthew David Schilling
Bryan J. Shima
Becky Jean Stafford
Erik Ryan Vang
Joel David Vannett
Nicholas Benjamin Walter
Richard Lowell Wiese
Nicholas Allyn Zilka

College of Engineering & Architecture
Jennifer Ann Brandel
Bryan Bradley Bye
Dominick Phillip Dufault
Christy M. Gallahges-Lein
Lance W. Gulleson
Daniel L. Gustafson
Matthew T. Heings
Tyler Craig Henderson
Craig Stuart Kautzman
Andrea Sue Keller
Tyson Lee Kramer
Michael Lloyd Lougheed
Benjamin Michael Menne
Bradley Thomas Okonek
Travis Lynn Olson
Chrysler Quisforou
David Martin Witham

College of Human Development & Education
Jeremy Bradenov ... With Honor
Elizabeth Ann Bader
Kayla Ranae Benning
Jennifer Ann Berg ... With Honor
Michelle LuRae Beyer
Erlin J. Brandt
Rachel Faye Dennis
Emily Rae Ekren
Sarah Rae Elkins ... With Honor
John Brackstan Frank
Hillary Ann Fredrickson
Dominic M. Giuliani ... With Honor
Alexis Jay Gossen
Lisa Marie Grabar
Bradley M. Hintermeyer
Seema Jalil
Peter David Jensen
Erin Marie Johnson
Kimberly Alice Johnson
Albert Alice Johnson
Angela Sharon Koropatnicki
Jacinda Marie Kuehn ... With Honor
Maggie Marie Kvaale
Joseph Daniel Lind
Callie Joanna Maddock
Robert Anthony Mamula
Heather Marie Mathias
Troy Mark Matson
Amy Lynn Miller
Jerry K. Olson
Lindsey Erin Onerheim
Joseph J. Petersen
Kathryn Maun Randall
Stacy Marie Renecke
Kristofor Francis Ringwall
Jill Renae Rogness
Joshua M. Rothstein
Tara Kaye Schlecht
Jovial Jean Schnebel ... With Honor
Jill Maria Schwartz
Ira Dean Signalkness ... With Honor
Jennifer Anne Sinclair
Holly Ann Stadstad
Brittany Ann Swanson
Nichole Therese Weigard
Alisha Marie Woessner
Matthew Edward Woodbury

College of Science & Mathematics
Luke Gordon Abor
Jonathan M. Albers
Brian Lee Andrews, Sr. ... With Honor
Erin Anne Berdal
Cheri Lynn Berger
Tanja Kay Cysewski
Jody Lynn Davidson
Brandon Lloyd Dosh
Lindsey L. Duval
Marni Rae England-Hill
Erich John Haugen
Janet Henning
Brooke Lindsey Horning ... With Honor
Christopher Paul Hudson
Jessica Rae Irey ... With Honor
Annie Johnson ... With Honor
Karlee Jo Juntunen
Christopher M. Kopp
Debra Marie Naze
Michael Robert Nordick
Ibrahim Akram Salah
Mitchell G. Statz
Vicki Renae Thompson
Amy Katherine Turnmire
Kari Ann Wald

Bachelor of Science in Nursing
Sarah Louise Coombs

Bachelor of Accountancy
Joshua Alan Andrews
Wendy Ann Calkins
Steven John Moos, II
Bachelor of University Studies
Tracy Lynn Boucher
Kyle Rudolph Haiman
Jeffrey Mitchell Jordre, II
Reed J. Karam
Tony Albert Ladwig

Bachelor of Architecture
Jennifer Ann Brandel
David Martin Witham

Bachelor of Music
Michelle LaRae Beyer

Doctor of Pharmacy
Andrea Leslie Lebrun

Master of Arts
Trista Marie Conzemius
Katy Ehrenberg
Deneen Ann Gilmour
Marcia Jean Lundberg
Krista Ann Ruth Norby
Sybil Ann Preishe
Jill Schock
Lisa Marie Sjoberg
Susan Kay Thomas

Master of Science
Jean Henri Chancel Akono Ada
MD Benazir Ahmed
Rebekkah Rose Amundson
Christopher Adam Besemann
Jared Ray Bullinger
Ellyeb Elzain
Nicholas Lee Finstrom
Karla Marie Haug
Miracle Raye Hoff
Casey Marie Hoover
Dmytro Ivanchykhin
Sarah Marie Jenson
Srivivas Kanala
Manju Karthikeyan
Jamie D. Kloster
Ngemunang Agnes Ngale Lyonga
Renee Magnan
Paula Jo Ann Petersen
Edward Cyrus Peterson
Rajesh Puthenkovilakom
Deepak Seth
Dheeraj Seth
Sudhan Shanmugasundaram
Harbol Sharma
Alexandre Sorin
Eric Michael Sutherland
Bradley Lee Vender
Chitra Vijayakumar
Richard Abraham Wiens
Benjamin Wilkowski
Peining Yang

Certificates
Lillian Mbango Nangoh
Kalpeshkumar Parmar
Esther Tumuhairwe

Master of Education
Michael Dennis Blue
Brian John Bubach
Darby D. Heinert
Christina Lynn Hemmer
Travis Jorgen Hoeg
Harlan Alvin Johnson
Kimberly Kay Kraft
Melissa Rae Hysjulien Lahti
Jonathon R. Massey
Marvin Leroy Roecke
Kristin R. Sharbomo
Carissa Marie Smith
Dean Wallace Wilson
Dennis Wutzke

Education Specialist
Jason Christopher Markusen

Doctor of Philosophy
Christian B. Alfano
Rochelle Lea Bergstrom
Ramesh Gautam
Akanksha Gupta
Stephen James Krebsbach
Gary A. Lugouti
Imad Rahal
Dongmei Ren
Tatyana Shevchenko Thweatt
Patricia Ann Troyar
Baoying Wang
Dachuan Yu

Master of Music
Daniel Ross Howard
Smoking Policies

Moorhead – Minnesota State University

1. Smoking prohibited in all Moorhead facilities.
2. Smoking permitted outside facilities provided smokers are a minimum of 20 feet from doorways, windows, and ventilation system.
3. Smoking prohibited in all vehicles or motorized equipment owned or leased by the University.
4. Smoking at outdoor events is restricted to designated areas, not seating or assembly areas.
5. Restrictions apply to all visitors.
6. Exception: Policy does not prohibit lighting of tobacco by an adults as part of traditional Native American spiritual or cultural ceremony, in an otherwise non-smoking area.

Concordia College

1. Smoking is prohibited in campus buildings, except in designated student resident hall rooms and private offices after normal class day/business hours.

Crookston – Minnesota State University

1. Smoking will not be permitted in any indoor areas.
2. The only exception is private residential space located in Lee Apartments and Robertson Hall (2004-05 only).
3. Effective August 30, 2005, all University residence halls and apartments will be designated non-smoking. Student lounge areas are not exempt from this policy and are designated as no smoking areas.
4. Smoking is permitted outdoors except as restricted below. Smokers who choose to smoke outside are requested to ensure the proper disposal of smoking materials.
5. A No-Smoking area is designated outside the exits from Dowell and Dowell Annex that overlook the children’s play yard for Early Childhood Development because young children are impressionable and smoking next to the play area does not set a good example.
6. Smoking is prohibited within 25 feet of facility entrances and non-emergency facility exits within the bounded area and at University Teaching and Outreach Center building.
7. Exception – employees working at the boiler plant may smoke in the doorways of the plant if they are unable to move 25 feet from the building due to their responsibilities related to managing the boiler plant equipment.
8. Smoking is prohibited on University property south of the South Road and north of the railroad tracks, commonly referred to as the “athletic fields”, including the football field and press box.
Jamestown College

1. Smoking and chewing tobacco are not allowed in any campus facility. The College strongly discourages all students and employees from smoking or using chewing tobacco because of health hazards. No tobacco products are sold on campus.

University of North Dakota

1. Smoking is not allowed in buildings or vehicles owned or leased by the State Education, State Fleet or UND.
2. Smoking is not permitted near entrances and exits, include ADA accessible entrances except at a reasonable distance of 20 feet or more or unless otherwise designated. It is prohibited near air intakes and open windows.
3. Smoking is prohibited in outdoor seating areas such as Memorial Stadium or outdoor facilities Dining Services have set up for serving customer.

Minot State University

1. Effective fall quarter/semester 1990, all facilities of the North Dakota University System shall be nonsmoking except for private areas in University apartments or outdoor arenas or other open-air outdoor facilities.


Reminder: Current senators may not serve as substitutes for other senators.

Previous Minutes

Minutes of the September 12, 2005, meeting were approved with unanimous consensus.

General Announcements

1. Provost and Vice President Schnell:

   • Homecoming is set for the week of October 17th. President Chapman’s State of the University address will be on Thursday, October 20, 11 a.m. in Festival Concert Hall.

   • Equity-The North Dakota University System received $19 million in new money from the legislature, with 20% designated as equity and 80% as parity. Eighty-five options have been presented for the distribution of the $2 million in equity.

   • Guaranteed Admission Contract-The Vice Chancellor for Academic Affairs wants to implement a guaranteed admission contract, which guarantees the admission of graduates from two-year colleges with a 2.00 GPA to any of the state’s four-year institutions. The proposal would apply to institutions both in and out of North Dakota. Discussions will continue on this subject.

   • New NDSU programs have been approved, including a graduate certificate in Statistics.

   • Student Sarah Beck presented the new NDSU license plate, which has the Bison logo. The cost of the new plates is $25 annually, of which NDSU will receive $13/plate.
2. **J. Council, President of University Senate:**

- University Senate Email List-Senators not receiving notices via the newly established email list should contact President Council.

- Service-Council shared his concerns about service and expressed his interest in developing a way to increase the rewards and recognition for participation in University service activities. He presented the current composition of Senate committee membership by faculty rank. Several significant committees have few or no full professors serving on them to provide history, experience and continuity. In addition, assistant professors are carrying this additional burden of service during a time when they are expected to focus on research and teaching.

- Parliamentarian D. Cooley presented the concept of Adoption of a Motion or Action Without a Motion, by Unanimous (or General) Consent, and read from Robert’s Rules of Orders:

  In cases where there seems to be no opposition in routine business…time can often be saved by the procedure of unanimous consent...Action in this manner is in accord with the principle that rules are designed for the protection of the minority and generally need not be strictly enforced when there is no minority present to protect. Under these conditions, the method of unanimous consent can be used either to adopt a motion without the steps of stating the question and putting the motion to a formal vote, or it can be used to take action without even the formality of a motion.

  No member should hesitate to object if he feels it is desirable to do so, but he should not object merely for dilatory purposes.

  In cases where unanimous consent is already apparent, the chair may sometimes assume it. (RROO: Newly Revised, 10th edition, pp. 51-3.)

**Committee Reports**

1. **Academic Affairs (Attachment 1)-**

   D. Meyer, chair, presented the committee report of course proposals and changes. MOTION (Bastow-Shoop/Kallmeyer): to change the proposed ENVD 172 title from ‘Design Fundamentals’ to ‘Environmental Design Fundamentals’ due to another course on campus with the same title. In the discussion, it was pointed out that Bastow-Shoop was requesting to change the course title for another program’s course. P. Gleye, head of Architecture, indicated that the change was acceptable.
MOTION TO CHANGE THE COURSE TITLE PASSED WITH UNANIMOUS CONSENT. Provost Schnell abstained.

MOTION (Hatterman-Valenti/Terbizan) to approve the remainder of the Academic Affairs report. MOTION PASSED WITH UNANIMOUS CONSENT. Provost Schnell abstained. Five new Communication program proposals will be brought forward at the November University Senate meeting.

2. Policy Coordinating Committee –

E. Berry, President-Elect, briefly presented the following policies for information only. To prevent unnecessary printing, these policies are available online in separate PDF files along with the agenda:
   a. 109: Employment Eligibility Verification
   b. 121: Partial Month’s Pay and Hourly Rate Calculations
   c. 130: Annual Leave
   d. 134: Faculty/Staff Assistance
   e. 136: Flexible Compensation Program
   f. 138: Insurance Benefits
   g. 141: Retirement Services
   h. 142: Retirement Plans
   i. 143: Sick/Dependent Leave
   j. 148: Payroll Deductions Services
   k. 223: Reduction in Force

3. Council of College Faculties –

H. Hatterman-Valenti asked whether the Senate would support a statewide faculty conference for members of University System institutions. The goal of such a conference would be to bring NDUS faculty together to discuss issues. MOTION (Hannon/Riley): to support a statewide faculty conference. MOTION PASSED WITH UNANIMOUS CONSENT.

The next CCF meeting will be held in November to discuss salaries, among other issues.

Unfinished Business

1. Vertical Writing Requirement (Attachment 2) –

D. Sullivan and K. Brooks, English Department, asked the Senate to rescind the February 14, 2005, motion to remove ENGL 110 from the list of approved general education requirements at NDSU and renumber it accordingly effective for Fall 2006. This original motion presents conflicts with State Board policy. MOTION (Riley/Coykendall): to rescind the previous motion to remove ENGL 110 as a general education requirement.
MOTION APPROVED BY UNANIMOUS CONSENT.

MOTION (Brooks/Steele): to increase NDSU General Education requirements as follows, effective for new students entering NDSU during fall semester 2006:

a. Communication Category (C) changes from nine to 12 credits (9 writing and 3 public speaking credits; and
b. Total required General Education changes from 36-37 to 39-40 credits.
c. Students with Composite ACT at or above 21 or SAT composite scores at or above 970 will be placed into English 120 and receive credit for English 110 if they receive a ‘C’ or better.

MOTION (Glower/Duval): to send this proposal back to the General Education Committee to further evaluate or reconsider NDSU’s GE requirements as a whole, balanced package. On behalf of the General Education Committee, M. Christoffers reported that, at this time, the committee neither supports nor objects to this proposal, but that it has evaluated and considered it quite extensively for the past year.

Discussion ensued on the English Department’s goal to replace ENGL 110 with a 300-level writing requirement for most students. Transfer students who have completed GE elsewhere would not be required to take upper-level writing unless their department specifically requires such a course in its curriculum. Based on data provided by the Office of Institutional Research and Analysis (OIRA), Brooks reported that 75% of students would end up only taking six credits of actual writing coursework. The composite ACT score of 21 is recommended based on student success data provided by OIRA. The Senate also discussed whether the grade of C is sufficient for earning credit for 110; the amount of upper-level writing activities that already exist on campus; the establishment of a climate in which writing is encouraged across the curriculum; resources available to departments through the English Department; and the involvement of the General Education Committee with a vertical writing requirement.

MOTION (Coykendall): to stop debate and further amendments, and order the previous question of sending the proposal back to the General Education Committee.

MOTION TO ORDER THE PREVIOUS QUESTION PASSED WITH UNANIMOUS CONSENT.

MOTION TO REFER THE ISSUE BACK TO THE GENERAL EDUCATION COMMITTEE FAILED WITH A VOTE OF 29-30. The following senators or their substitutes voted aye: Ambrosio, Balaz, Berry, Christoffers, Cook, Danbom, DeVuyst, Duval, Filpus, Garden-Robinson, Glower, Grafton, Gustafson, Hall, Hannon, Harvey, Hatterman-Valenti, Hauck, Langley, Little, Mallett, Pinkston, Presser, Randall, Rasmussen, Reimnitz, Robinson, Sperl, and Teigen. The following senators or their substitutes voted no: Beck, Brooks, Clark Johnson, Gomez, Council (tie-breaker), Coykendall, Duncan, Esslinger, Gross, Hageman, Hopkins, Howatt,
Kallmeyer, Knoepfle, Manikowske, D. Miller, E.J. Miller, Ransom, Rider, Riley, Rogers, Schnell, Schwert, Scott, Smith, Steele, Terbizan, Trowbridge, Webster, and Wittrock.

Discussion continued on communicating such a change to regional high schools for the sake of students enrolled in dual credit coursework, the ACT cut-off score of 21, and pros/cons of students not taking an additional lower-level writing course.

MOTION TO APPROVE THE NEW VERTICAL WRITING AS PRESENTED BY BROOKS PASSED WITH A VOTE OF 43-15. The following senators or their substitutes voted aye: Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Danbom, DeVuyst, Duncan, Esslinger, Filpus, Garden-Robinson, Grafton, Gross, Gustafson, Hageman, Hall, Harvey, Hauck, Hopkins, Howatt, Kallmeyer, Knoepfle, Langley, Little, Manikowske, D. Miller, E.J. Miller, Ransom, Rasmussen, Rider, Riley, Schnell, Schwert, Scott, Smith, Steele, Terbizan, Trowbridge, Webster, and Wittrock. The following senators or their substitutes voted no: Ambrosio, Cook, Duval, Glower, Hannon, Hatterman-Valenti, Mallett, Pinkston, Presser, Randall, Reimnitz, Robinson, Rogers, Sperl, and Teigan.

Provost Schnell thanked the Senate for approving the vertical writing requirement.

2. Policy 323: Selection of Textbooks and Other Curricular Materials (Attachment 3)

Berry reported that the assignment of profits to a charitable organization is legal, according to University Counsel Rick Johnson. Johnson provided the following modified language (underlined) to Section 3 of the policy:

Instructions who have published a textbook or other curricular materials and use them in their courses, must avoid a personal profit from sales to their students. Royalties or other income received by the instructor for those texts or materials used in the instructor’s course must be placed into department accounts for use by the department or assigned to a charitable organization.

Departments which prepare laboratory manuals or coursepacks to their students should arrange for them to be printed and sold through the Varsity Mart (the University Bookstore).

An employee who feels this policy has been unfairly applied to him/her can use the normal University Grievance process.

FRIENDLY AMENDMENT (Hannon/Teigan): to approve the modified text as recommended. AMENDMENT PASSED WITH UNANIMOUS CONSENT.
AMENDMENT (Coykendall/Berry): to modify the second paragraph to read,

Departments which prepare laboratory manuals or coursepacks for sale to their students should arrange for them to be printed and sold through the Varsity Mart. AMENDMENT PASSED WITH UNANIMOUS CONSENT.

ORIGINAL MOTION (September 2005 meeting) AS AMENDED PASSED WITH UNANIMOUS CONSENT.

3. Section 350.3: Board Regulations on Nonrenewal; Termination or Dismissal of Faculty (Attachment 4) –

Berry reported that University legal counsel provided a clarification on sanctions. A definition of demotion also was read. This issue was postponed until the November meeting.

4. Assessment of Advising

Since the plan proposed by the Teaching and Professional Service Committee last May was related to requirements for accreditation, action will be deferred on this until after the accreditation evaluation is distributed in Spring, 2006.

5. Policy 337: Grade Appeals

This item was not addressed due to time constraints and will be taken up at the November meeting.

New Business

1. Formation of ad hoc committee to study NDSU policy on campus smoking areas –

J. Trowbridge asked for two faculty volunteers to serve on the smoking policy committee to discuss issues and the development of a future policy. Council will send out the request for volunteers on the Senate list serve. Names will be forwarded to Trowbridge.

2. Approval of Parliamentarian-

MOTION (Teigan/Riley): to approve Dennis Cooley as University Senate parliamentarian for 2005-2006. MOTION PASSED WITH UNANIMOUS CONSENT.
3. *PTE Advisory Group* –

Provost Schnell asked the Senate to support the establishment of an advisory committee to review and discuss candidates for promotion and tenure this academic year. He would like the committee to be comprised of full, tenured professors, with representation from each college. College representatives would not participate in discussions on candidates from their own academic units. MOTION (Harvey/Reimnitz): to approve the establishment of an ad hoc PTE advisory group to the provost. Discussion ensued on evaluation items, expectation of members, and departmental recommendations. MOTION PASSED WITH ONE DISSENTING VOTE (Danbom). Senator Hannon abstained.

**Adjournment**

The meeting adjourned at 5:25 p.m.

Submitted,
Kristi Wold-McCormick, Ph.D.
# University Senate Minutes
Fargo, ND  58105
North Dakota State University

**Academic Affairs Committee**

## Approved Curricular Recommendations

### New Courses

<table>
<thead>
<tr>
<th>Dept.</th>
<th>No.</th>
<th>Title</th>
<th>Crs.</th>
</tr>
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<tbody>
<tr>
<td>ARCH</td>
<td>231</td>
<td>Architectural Drawing</td>
<td>3</td>
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<td>ARCH/ LA</td>
<td>232</td>
<td>Design Technology</td>
<td>2</td>
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<tr>
<td>ARCH</td>
<td>663</td>
<td>Programming and Thesis Preparation</td>
<td>3</td>
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<td>ARCH</td>
<td>681</td>
<td>Professional Practice</td>
<td>3</td>
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<tr>
<td>ARCH</td>
<td>721</td>
<td>Non-Western Architectural Traditions</td>
<td>2</td>
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<tr>
<td>ARCH</td>
<td>722</td>
<td>Urbanism</td>
<td>2</td>
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<td>ARCH</td>
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<td>Architectural Technology</td>
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<td>Post-World War II Architecture of the Recent Past</td>
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<td>Vernacular Architectural Traditions</td>
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<td>Advanced Architectural Design</td>
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<td>Design Thesis</td>
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<td>Professional Topics in Architecture</td>
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<td>COMM</td>
<td>380</td>
<td>Health Communication I</td>
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<td>381</td>
<td>Patient-Provider Communication</td>
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<td>421/ 621</td>
<td>History of Journalism</td>
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<td>Professional Practice</td>
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### Course Deletions

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<th>Title</th>
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<tr>
<td>ARCH</td>
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## Changes in Course Prefix, Number, Title, and Credits

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### Cross-Listed Courses

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Vertical Writing Curriculum Motion and Supporting Documents

Date: September 30, 2005
To: University Senate
From: Dale Sullivan and Kevin Brooks, representing the Dept. of English
Subject: Vertical Writing Curriculum Motion and Supporting Documents

Dr. Thomas Riley, Dean of Arts, Humanities and Social Sciences moves that the University Senate rescind a motion made last year, February 14, 2005.

If the rescind passes, Dr. Kevin Brooks of The English Department would like to offer a new motion that will enable a General Education vertical writing curriculum to function effectively at NDSU while staying within North Dakota University System policy expectations and agreements.

This document contains the following information:

1. The Rescind Motion wording with rationale, and the new motion with brief rationale.
2. A description of the implementation procedures.
3. The rationale for using an ACT composite of 21 and SAT of 970 as the numbers to decide course placement.
4. A set of Frequently Asked Questions about the Vertical Writing Curriculum, student placement, and the thinking behind the proposed changes.
5. Guidelines and expectations for designing a Writing Intensive Course
6. A short description of the Assessment Plan that will be used for the new writing curriculum.
7. An Organization Chart that shows what kinds of courses will be available who will be responsible for the 300 level courses. [separate PDF file]
8. A flow chart that describes the process of developing a Writing Intensive course. [separate PDF file]

Some or all of this material can be placed on the Vertical Curriculum website rather than included as part of the Agenda for the October 10th meeting, but we do think it is important that Senate members have a good understanding of the whole proposal.

Thank you for considering these motions and materials.
Rescind Motion and New Motion

I) Rescind Motion: Dr. Thomas Riley, Dean of Arts Humanities and Social Sciences, Moves to Rescind the following motion: MOTION (Kilber/Larson): to remove ENGL 110 as a required course and renumber it accordingly effective for Fall 2006. MOTION CARRIED 41-8-6. (From the February 14, 2005 minutes.)

Rationale: Dr. Kristi-Wold McCormick wrote in an email the day after this motion was passed “As I see it, by eliminating this course from the Communication category, we will no longer be in compliance with Board policy (403.7) requiring nine credits of lower division communication. Furthermore, by not identifying specific upper-division writing courses as general education (but rather a university requirement), we would fall short of the state-required 36 credits in general education. Additionally, any changes to the GERTA Gold pages require a approval by the State Academic Affairs Committee and the Vice Chancellor of NDUS. I'm certain that this change will not be supported by my colleagues who have an interest in protecting students transferring in/out of NDSU from/to their institutions. Also, based on current NDSU policy, we would not be able to grant free elective credit to students who transfer in with ENGL 110 as it would be equivalent to a remedial course at NDSU. As you can see, these are just some of the issues that need to be addressed if we are to move forward with this proposal. It may still be a viable option to include upper-division writing as a general education requirement and not jeopardize the status of ENGL 110. Placing the tracking and review of this requirement in this established committee [General Education Committee] (with the support of the English Department) would increase the committee's workload, but may be necessary if this new policy is to work as intended.”

II) New motion: Dr. Kevin Brooks, Department of English, moves to increase NDSU General Education requirements as follows, effective for new students entering NDSU during fall semester 2006:
   a. Communication Category (C) changes from nine to 12 credits (9 writing and 3 public speaking credits); and
   b. Total required General Education changes from 36-37 to 39-40 credits.
   c. Students with Composite ACT at or above 21 or SAT composite scores at or above 970 will be placed into English 120 and receive credit for English 110 if they receive a “C” or better.

Rationale: The supporting documents provide an extensive rationale, but the key points are:
   • Maintaining English 110 as a General Education Course will keep NDSU in compliance with the NDUS GERTA requirement.
   • Placing Students with Composite ACTs at or above 21 or SAT composite scores at or above 970 will ensure that most NDSU students will not increase the number of course they have to take.
   • Students who will most benefit from a third writing course will be able to take English 110 and have it count towards graduation. English 110 will not be a remedial course.
Implementation details

a. Students who transfer to NDSU with NDUS GERTA requirements met, or students who transfer with A.A., Baccalaureate or select A.S. (to be reviewed on a case-by-case basis) degrees will be exempt from upper division writing requirement unless an upper-division writing course is required for degree completion in a major program of study. Departments that would like their graduates to take a very specific writing course should consider adding this requirement.

b. Students who earn an ACT composite score of 21 or higher or SAT with 970 or above will be exempt from ENGL 110 and allowed to take English 120. Three (3) special exams credits (Pass) for ENGL 110 will be applied to their records if they earn a C in the 120 course. A student who receives a D will not receive credit for 110 and must either take English 110, retake English 120 to earn a higher grade, or take two upper-level General Education writing intensive courses. A student who receives an F in 120 must either take English 110 or retake English 120 to earn at least a C. The English department will work with the Registrar’s office in order to establish the best way to notifying students of their requirements when they receive a D or an F in English 120.

c. The English department will develop upper-level writing courses, such as Business and Professional Writing, Writing in the Sciences, and Writing in the Humanities and Social Sciences. [see the attached organizational chart]

d. The Center for Writers and the English department will assist other departments that desire to create their own writing-intensive course. Such discipline-specific courses will qualify for upper division writing credit in Communication Category C if they pass the approval process. [see the attached flow chart]

e. The approval process for new courses involves obtaining a letter of support from the English department and then sending the course proposal with the letter of support through the normal channels (department curriculum committee, college curriculum committee, Academic Affairs Committee). The Academic Affairs Committee then sends the proposal to the General Education Committee for its approval as a writing-intensive course. Both Academic Affairs and General Education present the course to the University Senate for approval. [see the attached flow chart]

f. The approval process for existing courses involves sending course materials to the General Education committee along with a letter of support from the English department. The General Education Committee then presents the course for approval to the University Senate.

g. Academic programs will be encouraged to adjust their degree requirements to incorporate an upper division writing-in-the-disciplines (WID) course that has earned General Education approval.

h. Programs that use ENGL 110 as part of selective admission formula will need to reformulate using the grade earned in ENGL 120.
i. Students with AP credit scores of 3 in Language and Composition or in Literature and Composition will continue to receive credit for English 110; those with scores of 4 or 5 will receive credit for English 110 and English 220. Students with a CLEP score of 50 will be given credit for English 110. These are NDUS policies.

j. Students who complete one of the 300 level courses will have completed the General Education requirement, and will only be required to take a second 300 level writing course if a specific writing course is required for degree completion in a major program of study.
Understanding English Placement at NDSU

The English department recommends:

1. placing students with a composite ACT score below 21 or SAT below 970 into English 110
2. placing students with a composite ACT scores of 21 and above or a SAT score of 970 and above directly into English 120.

Key points for using 21 and above Composite ACT scores

- All NDSU students will still be taking two writing courses, while those with ACTs under 21 or SATs under 970 will end up taking 3 writing courses. If we set the placement line too high, the majority of NDSU students will end up taking 3 writing courses, and that was never the intention of our proposal. The cost to NDSU of requiring most students to take 3 writing courses would be significant, and there simply are not enough qualified instructors in the region to expand our course offerings significantly.

- By using 21 as the placement point for incoming students, we are providing additional coursework for the students that we think will benefit, and we are not adding coursework for the majority of students. The average composite score for incoming students at NDSU is 21.8 according to The Office of Institutional Research.

- Students with ACT scores below 21 are more likely to need additional writing instruction and a full year of small classes to successfully make the transition to college than students with 21 and above.

- We would rather start with a small number of students and expand to include more students if necessary. We think we can do a better job with fewer students because we can employ a small group of experienced instructors, rather than rely on new Teaching Assistants or last-minute hires.

- ACT and the Office of Institutional Research can help the English department analyze the placement’s effectiveness, and we are open to adjusting the cut-off point as necessary.

- We will continue to perform assessment of student writing in English 110 and 120, and we can look specifically at work produced by students in the gray zone (ACTs of 18-26).

- Using 21 and 970 as the placement number is consistent with NDSU’s admission recommendation. English 110 will not be a remedial course; it will be a college-level course designed to help students succeed in English 120 and their upper-level writing courses.

- More elaborate placement procedures could be employed, but they are costly, time-consuming, and they tend not to be particularly successful or accurate.

NDSU Admission Requirements (http://www.ndsu.nodak.edu/prospective_students/requirements/)

The university uses selective criteria in order to assure adequate preparation which will enable students to be successful in their academic pursuits. For that reason, the general guidelines used in making admission decisions include a cumulative high school grade point average of 2.5 (4.0 scale) with strong consideration given to grades earned in core curriculum courses. An ACT
composite score of 21 or higher or SAT score of 970 or higher is recommended. Students who do not meet these guidelines will be considered if other supporting factors show potential for success.

FAQs:

Won’t English 110 become a remedial course if only those with composite ACTs under 21 take the course?
No, we don’t plan to change English 110 very much. We think most of our students can handle the challenge of 120 directly, and while the new 110 will have students with ACT Composites under 21, we will expect the same quality of work we currently expect from all 110 students. The advantages to using a placement system is that we can finally acknowledge that not all students are coming to NDSU with the same preparation and same skills, we can work more effectively with those who will benefit from an extra course, and we can more effectively challenge those with good high school preparation.

But many students need more writing courses, not fewer writing courses? How is this vertical writing curriculum really addressing this need.
All NDSU students will still take two required writing course. Approximately 1/4 to 1/3 of students with the ACTs below 21 or SATs below 970 will now take three writing courses. If students in your majors and programs would seem to be benefit from additional writing courses, they will now have more variety to choose from at the 300 level (e.g. science students might choose to take both Writing in the Sciences and Writing in the Health Professions), they will be able to take advantage of the Center for Writers, and increasingly, they will get good writing instruction within the courses in their major.

UND exempts students with ACTs of 27 and above. Won’t using a composite ACT of 21 and SAT of 970 make NDSU look like it has lower standards?
UND is taking a different approach to teaching writing than we are. Students at UND with ACTs of 27 and above end up taking only one writing course. We believe we will offer even some of the best prepared NDSU students a quality education by having them take a first-year writing course that helps them make the transition from high school to college level writing, and then a 300 level writing course that helps them make the transition to graduate school or their careers. Comparing only the placement number at each school is not appropriate; a good comparison looks at the whole curriculum, the number of writing courses taken, and the place of those courses in the curriculum.

What will happen to the NDSU students with scores of 21-26 who transfer to UND with “P” credit in 110 granted by NDSU?
Those students will transfer in “P” credits for 110, but we cannot control whether or not UND will accept those credits. We currently require students who transfer from UND to NDSU with ACTs above 27 to take English 110 or another writing courses because UND is not giving credit
for 110. Perhaps both schools can work out an appropriate recognition of each institution’s placement procedures.

Students who complete the AP English Exam with a score of 3 receive credit for English 110, and those who get a 4 or 5 receive credit for the English 220, Introduction to Literature. The ACT and SAT placement that NDSU is considering will essentially wipe out any advantage to taking the AP test—how is that fair? The placement of students with AP scores is set at the University System level. The English department would not be opposed to giving students with AP scores of 4 or 5 credit for English 120, but the time and effort that would go into making those changes at the system level would far outweigh the benefits that would result. Students who scored well on the AP test should consider taking Honors Composition, English 121.
Guidelines for Writing Intensive General Education Communication Courses

Courses to be considered for the Communication Category of General Education should follow the General Education “New Course” guidelines (http://www.ndsu.nodak.edu/ndsu/deott/gened/geforms.shtml). The new course template and course syllabus should be submitted to the NDSU Vertical Writing Curriculum Committee, a sub-committee of General Education.

In order for a writing intensive course at NDSU to be considered for the Communication Category in General Education, it must meet the following General Education Outcomes and specific requirements.

**Students should learn to communicate effectively in a variety of contexts and modes, using a variety of communication skills (GE Outcome #1).** In order to meet this goal, a course should include:

- Assigned readings in a variety of genres or modes acknowledging that models can be helpful for writing and that good writers are typically good readers.
- Multiple writing assignments, with at least two different genres or modes of writing assigned.
- Structured elements within a course that will promote drafting, revising, and editing.

**Students should learn to integrate knowledge and ideas in a coherent and meaningful manner (GE Outcome #6).** In order to meet this goal, writing assignments should include:

- Reading of primary or secondary sources as a prompt or starting point for writing.
- Research (field, lab, or library) that will be integrated into a written document.
- A clearly specified audience and context for writing.

A writing intensive course at NDSU must also include:

- English 120 as a pre-requisite.
- Three credits.
- At least three writing intensive assignments.
- Opportunities for revision.
- The production of at least 15 pages of text.

A student cap of 22 is recommended, but not required if individual instructors and/or departments can provide effective instruction to more students.
Assessment Plan

The English department currently assess the work done by students in English 110 and 120, and recognizes that assessment of the Vertical Writing Curriculum will be necessary to ensure quality instruction and appropriate student achievement.

Current assessment

The English Department uses a portfolio assessment method for assessing the quality of writing done in English 110 and 120. The department reads 200+ student portfolio each semester, focusing on a specific General Education Goal each semester.

- Students should learn to communicate effectively in a variety of contexts and modes, using a variety of communication skills (GE Outcome #1).
- Students should learn to integrate knowledge and ideas in a coherent and meaningful manner (GE Outcome #6).

This assessment method enables the department to see how well students are meeting specific goals, what skills they posses, and what particular weaknesses need to be addressed. An annual assessment report is filed with the Office of Institutional Assessment and available for perusal. The assessment method does not function as an exit exam.

The Vertical Writing Assessment

The department will continue to use portfolio assessment at the end of each semester, but the work produced by students in 300 level courses will be included in the assessment process. The same two General Education goals will be used to assess work done in 300 level courses, although the definition of and expectations for what it means to communicate effectively and integrate knowledge will obviously be more rigorous and specialized at the 300 level.

The potential for portfolio assessment

Portfolio assessment is widely regarded as the best approach to assessing students’ writing; it offers a direct assessment of multiple samples of student work. Portfolio assessment at NDSU, however, has the potential to not only assess students’ work in an individual course, but an electronic portfolio system has the potential to save and display student work throughout their college career, giving the English department, academic advisors, and students an opportunity to see what kind of development they have made, and adjust instruction accordingly.

An electronic portfolio also has the potential to show off student work to future employers and prospective students, increasing the visibility of work done by NDSU students.
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

**Policy 323: Selection of Textbooks and Other Curricular Materials**

To implement NDUS Policy 611.9 and incorporate previous NDSU Policy 323 into it. NDSU Policy would prevent the author from personally receiving royalties from their texts/course materials used in a class they teach.

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

Policy Coordination Committee: 7/21/04; 8/22/04 (tabled); 2/24/05
Staff Senate: 4/13/05
University Senate:
President’s Council: 3/28/05

3. This policy was originated by (individual, office or committee/organizations):

Craig Schnell, Provost/Vice President Academic Affairs (8/22/04)
Rick Johnson, General Counsel (7/21/04)

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**Policy 323: Selection of Textbooks and Other Curricular Materials**

Source: NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials; President

The following rules govern selection of textbooks and other curricular materials:

1. An instructor may not receive financial compensation or any other form of remuneration, excluding supporting educational materials for teaching, from a publisher or an agent of the publisher for the purpose of selecting or assigning textbooks or other curricular materials.

2. An instructor or other employee who is paid or receives other remuneration in connection with the sale or assignment of textbooks or other curricular materials may, as provided under institution procedures implementing this policy:

   2.1 Assign all royalty payments or other remuneration resulting from assignment of the materials at the employing institution; or

   2.2 Retain royalty payments or other remuneration, in which case the final decision to assign the materials shall be made as provided under each institution's procedures. **(See, however, 3.1 below.)**
3. With the input of faculty, student and administration, each institution shall adopt procedures implementing this policy, including a process for review or appeal.

**NDSU Interpretation:**

3.1 *Instructors who have published a textbook or other curricular materials for use and use them in their courses, must avoid a personal profit from sales to their students. Royalties or other income received by the instructor for those texts or materials used in the instructor’s course must be placed into department accounts for use by the department or assigned to a charitable organization.*

3.2 *Departments which prepare laboratory manuals or coursepacks for sale to their students should arrange for them to be printed and sold through the Varsity Mart (The University bookstore).*

3.3 *An employee who feels this policy has been unfairly applied to him/her can use the normal University grievance process.*
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   **Section 350.3:** Board Regulations on Nonrenewal; Termination or Dismissal of Faculty

   Changes to NDSU Policy 350.3 are based on changes to SBHE Policy 605.3. Notice timelines have changed in Section 1. In Section 9, “sanction” now has a more narrow definition. Less severe sanctions, such as a letter of reprimand, can no longer be appealed to the Standing Committee on Faculty Rights.

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

   Policy Coordination Committee - 4/21/05
   Staff Senate -
   University Senate –
   President’s Council -

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

   General Counsel (4/21/05)

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**SECTION 350.3 BOARD REGULATIONS ON NONRENEWAL; TERMINATION OR DISMISSAL OF ACADEMIC STAFF FACULTY**

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

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

   a. Notice shall be given:

      (1) **Not later than March 1 of the first academic year of service if the appointment expires at the end of that academic year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination during the first year of probationary employment at the institution.** At least 90 days

      (2) **Not later than December 15 of the second academic year of service if the appointment expires at the end of that academic year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination during the second year of probationary employment at the institution.** At least 180 days
(3) At least one year prior to termination twelve months before the expiration of an appointment after two or more academic years of service probationary employment at the institution. If a faculty member is appointed during the academic year, then the initial contract shall indicate when the first academic year of service at the institution begins. For the purpose of this section, "academic year of service" means on a probationary appointment. The twelve months notice may be given at any point during the calendar year and the appointment terminates twelve months thereafter. (This NDSU language clarifies the interpretation that has been applied to this NDUS language throughout the University System.)

b. A department chair, dean or other person authorized under institution policies to give such notice shall provide written notice of the decision, including a reference to the policy section pursuant to which the action is taken. The faculty member may within ten calendar days after receipt of the notice request a reconsideration by the deciding body or individual. The faculty member may incorporate a request for mediation in the request for reconsideration. The institution shall respond in writing to the faculty member within ten calendar days after receipt of the request.

Nonrenewal decisions shall be made in every instance by the University President. Recommendations for nonrenewal shall be initiated within the academic unit in accordance with Policy 352. Colleges shall have specific procedures for nonrenewal recommendations prior to the sixth year in accordance with Policy 352 and 350.3.2. (See below.) A department chair may initiate a review for nonrenewal at any time.

2. An institution may terminate a probationary appointment, effective at the end of any contract term, with no less than 90 days notice of nonrenewal, based upon a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses. The notice of nonrenewal shall include a reference to the policy section pursuant to which the action is taken. When a probationary appointment is terminated pursuant to this subsection, the provisions of subsection 1 do not apply.

3. A special appointment terminates at the end of the term stated on the contract and may be renewed at the discretion of the institution.

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

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

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

6. An institution may terminate an appointment of a tenured faculty member following a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of academic units or program areas, or elimination of courses. In such cases, significant consideration shall be given to length of service and tenure status in the retention of faculty members within the affected academic unit or program area, curriculum requirements, professional achievements, breadth of competence, and equal employment opportunity. A tenured faculty member terminated pursuant to this subsection shall be given written notice of termination, including the reason(s) for the action, at least twelve months prior to the date of termination. Each institution shall establish procedures for implementing this policy.
a. A tenured faculty member given notice of termination under this section may request that the institution circulate his or her vita to other academic units or program areas within the institution. In addition, the institution shall ensure that fair consideration is given to the faculty member, during the period of the terminal appointment, for vacant academic positions in the employing institution for which the faculty member is qualified. The faculty within any academic unit or program area shall have the major responsibility in determining qualifications for appointment therein. If a tenured faculty member accepts an appointment in a different academic unit or program area, the faculty member shall retain his or her tenure status, subject to approval of the Board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A sanction is defined as any disciplinary action or restriction, limitation, suspension or termination of normal faculty privilege. These may include, but are not necessarily limited to, salary reduction, reassignment of duties, or letter of reprimand. A failure to give a discretionary salary raise is not normally a sanction. Actions related to salary raises are subject to the grievance policy, Section 353.


Reminder: Current senators may not serve as substitutes for other senators.

Previous Minutes

Minutes of the October 10, 2005, meeting were approved with unanimous consensus.

General Announcements

1. Provost and Vice President Schnell:

   - The SBHE will meet at NDSU on Thursday, November 17, beginning at 7:30 a.m. The agenda and meeting are open to the public and to the NDSU community.
   - Discussions on the long-term finance plan continue at the state-level. The committee is now looking at increasing the number of peer institutions to 15 (from nine). While some believed that our peer institutions were aspirational only, a consulting firm’s analysis determined that they are our actual peers. The consultants studied 50 land-grant institutions and determined that NDSU would be actual peers with about 30 of them (those without medical schools). A decision on how to distribute the $2 million is still under discussion.
   - The English Ph.D. program proposal approved by Senate has undergone a name change to Rhetoric, Writing and Culture. This has been submitted for Phase I approval.
2. **J. Council, President of University Senate:**

- **Service Project Update** (Attachment 1)-The survey of deans and chairs/heads regarding faculty service soon will be distributed. The focus of this study is to look at equity in the distribution of service to junior faculty and female faculty. This survey is being run through the IRB for approval.
- The format for University Senate meetings has changed with a larger room and different seating arrangement. Microphones have been added to aisles so those who want to speak on an item may be easily heard.

3. **D. Cooley, Parliamentarian:**

Cooley presented rules of debate to the Senate (Attachment 2). Ongoing parliamentary procedures rules and reminders presented at the Senate are posted to the University Senate web site at [http://www.ndsu.edu/ndsu/deott/univ_senate/](http://www.ndsu.edu/ndsu/deott/univ_senate/). Rules shared include the chair’s recognition of an individual before they may speak; each person may only speak twice on a topic; and debate should always be germane and on pending questions.

4. **Re-accreditation Site Visit, R. Harrold and D. Sellnow** (Attachment 3)-

The re-accreditation site visit is scheduled for February 12-14, 2006. The visit will culminate with an oral interpretation of the final report to President Chapman. Senators are encouraged to review the self-study report available at [http://www.ndsu.edu/ndsu/accreditation/index.shtml](http://www.ndsu.edu/ndsu/accreditation/index.shtml), especially Chapter One, and to memorize the mission statement. Deans should be provided a 1-2 page executive summary on what their units have done since the last accreditation process. The comprehensive visit will look at NDSU as a whole, as well as our request for approval to offer programs online.

**Committee Reports**

1. **Academic Affairs** (Attachment 4)-

D. Meyer, chair, presented the committee report of course/program proposals and changes. MOTION (Howatt/Knoepfle): to approve the Academic Affairs report as presented. Provost Schnell indicated that he will take the five new Communication programs forward to the Academic Affairs Council and SBHE, but will hold off on presenting the Mass Communication and Speech Communication program deletions until the five programs are approved. MOTION PASSED WITH UNANIMOUS CONSENT (Schnell abstained).

2. **General Education Committee** (Attachment 5)-
Wold-McCormick presented courses recommended for continued approval with changes in outcomes, as well as courses to be removed from General Education. MOTION (Ambrosio/Terbizan): to approve General Education report as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

3. Policy Coordinating Committee (Attachment 6) –

E. Berry, president-elect, presented Policy 126: Salary–Regular Employee for information only. This policy is being deleted due to changes related to PeopleSoft.

4. Council of College Faculties –

T. Barnhart, reported the following:

- Faculty salary increase reports have not included in the calculations those faculty not receiving pay raises.
- The Arts and Humanities Summit is scheduled for October 2006, and will be hosted by NDSU.
- The State of the Faculty Conference is being planned, and interest items are being sought.
- Undergraduate research publications were discussed with the SBHE.
- A P-16 education task force is being discussed.

Unfinished Business

1. Vertical Writing Requirement (Attachment 7) –

K. Brooks, English Department, requested that the Senate consider a one-year delay in the implementation of the previously approved Vertical Writing Requirement. MOTION (Harrold/Teigen): to move the implementation of vertical writing across the curriculum from Fall 2006 to Fall 2007. MOTION PASSED WITH UNANIMOUS CONSENT.

2. Section 350.3: Board Regulations on Nonrenewal; Termination or Dismissal of Faculty (Attachment 8) –

Council provided the NDUS attorney’s definition of ‘sanction.’ The proposed changes are intended to make the NDSU policy consistent with the SBHE policy. MOTION (Berry/Pinkston): to accept the policy revisions as presented. Discussion ensued on whether the responsibility of promotion and demotion lies with the institution or with the University System, as well as potential impacts on the campus PTE process. Provost Schnell reported that matters of promotion lie with the
campus, and that the only person on campus who can impose a sanction is the President. The State Board deals with tenure issues only. MOTION PASSED WITH A VOTE OF 28-10-16. The following senators or their substitutes voted aye: Ambrosio, Andersen, Bahrami, Brooks, Comez, Dai, Danbom, DeVuyst, Garden-Robinson, Grafton, Gross, Hall, Harvey, Hopkins, Howatt, Knoepfle, Langley, Miller, E.J., Peterson, Rider, Riley, Robinson, Schnell, Scott, Steele, Trowbridge, and Wittrock. The following senators or their substitutes voted no: Balaz, Esslinger, Hannon, Johnson, Kallmeyer, Panigrahi, Rasmussen, Rogers, Smith, and Terbizan. The following senators or their substitutes abstained: Askelson, Beck, Clark Johnson, Duval, Hageman, Hatterman-Valenti, Klenow, Little, Mallett, Manikowske, Miller, D., Presser, Randall, Reimnitz, Sperl, and Teigen.

3. Section 337: Grade Appeals Board (Attachment 9)

R. Jazar, chair, presented proposed changes to the current Grade Appeals policy and procedures, and reported that a new form will be available online detailing the steps required by students. Discussion was held on the composition of board members, definition of chairs, and GPA requirements of students serving on this committee. Minor edits and revisions were suggested. Council asked the Senate to disregard those proposed changes that require Bylaws changes. It was recommended that revisions be provided to Jazar, and a final document will be presented at the December Senate meeting.

New Business

1. Duplication of Credit/Repeating NDSU courses at other institutions –

Schnell will present additional clarification to this policy at the December meeting.

2. Ombudsman- Request for Position (Attachment 10)-

Council announced that the issue of a university ombudsman position came up in the last accreditation site visit and during the last two Senate years. He shared language from University of California Irvine’s ombudsman policy, including its purpose, function and guidelines. Questions were raised on the compensation, title, and background/training for such a position, as well as consultant evaluator recommendations, conflicts of interest, student concerns, and staffing and budget impacts. These details will be explored further. MOTION (Berry/Comez): to establish an ad hoc committee, comprised of two representatives from each of the three Senates, to explore the establishment of an ombudsman position on the NDSU campus. MOTION PASSED WITH A VOTE OF 35-17. The following senators or their substitutes voted aye: Andersen, Askelson, Bahrami, Balaz, Brooks, Clark Johnson, Comez, DeVuyst, Garden-Robinson, Grafton, Gross, Hall, Harvey, Howatt, Johnson, Kallmeyer, Knoepfle, Langley, Little, Manikowske, Miller, D.J., Panigrahi,
Randall, Rasmussen, Reimnitz, Rider, Riley, Robinson, Rogers, Smith, Sperl, Steele, Terbizan, Trowbridge, Wenhao, and Wittrock. The following senators or their substitutes voted no: Ambrosio, Beck, Danbom, Duval, Hageman, Hall, Hopkins, Mallett, Miller, Klenow, Peterson, Presser, Random, Schnell, Scott, and Teigen.

3. **Charge of Committee on Campus Smoking (Attachment 11)**—

S. Bergeson presented the charge and membership of the joint ad hoc committee on smoking. The goal is to have a preliminary report ready by March 1, with a resolution by May 1.

4. **Suggestions for Improved University Senate Procedures**—

Council shared his ideas on improving the efficiency and order of Senate meetings, and on providing future leadership for the Senate Executive Committee, which include:

- New seating arrangement
- Consideration of extending membership to 4-year terms to retain consistency and institutional memory
- Active recruitment of candidates for president-elect
- Expansion of the responsibilities of past presidents
- Use of consent agendas distributed via email lists to deal with non-contentious items
- Moving new business with recommendations from Executive Committee
- Ongoing tutorials on Robert’s Rules by parliamentarian

He welcomed feedback on these matters.

**Adjournment**

The meeting adjourned at 5 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Service Survey (Chairs)

My name is Dasha Zabelina. I am assisting Dr. James Council in a project approved by the University Senate. We are conducting a telephone survey to determine how faculty service is assigned, evaluated, and rewarded at NDSU. Service is broken down to three main areas: service to NDSU, the profession and the community. Within each category, we are assessing how service is weighted in promotion/tenure, annual pay increases, and awards for service. We also assessing whether a faculty member’s gender might play a role in service assignments. The emphasis for Chairs and Heads is on University and College Service

This survey should take about _____ minutes to complete. Your participation is entirely voluntary, and you may withdraw from participation at any time. We are unable to compensate you for participating, but we feel that this survey will generate important information for NDSU.

No individuals will be identified in any publication or presentation of the results. However, it may be useful to identify specific departments or colleges. We hope that is acceptable – if it is not, please let me know now.

If you have any questions about this project, please call Dr. Jim Council, President of University Senate, at 231-7065. If you have questions about the rights of human participants in research, or want to report a problem, you should contact the NDSU IRB Office, (701) 231-8908.

Thank you for your participation in this study. If you wish to receive a copy of the research results, please let me know.

26 Oct, 2005
Name of interviewee: ____________________________________________

Department: ___________________________________________________

Date of interview: ______________________________________________

Request a copy of every department’s promotion/tenure criteria, as well as any other documents pertaining to service expectations.

Interview

*Please note: the questions I will be asking refer only to tenured and tenure-track faculty.*

1) How do you define “meaningful service” at each of the following levels? *In your definition, be sure to address aspects of service specific to your department.*

a) Assistant professor:

b) Associate professor:

c) Full professor:
All of the following questions refer to meaningful service, as you have defined it:

2) In your opinion, how important is service at the following levels?

a) Assistant professor: not at all ___ somewhat ___ moderately ___ very ___
Comments:

b) Associate professor: not at all ___ somewhat ___ moderately ___ very ___
Comments:

c) Full professor: not at all ___ somewhat ___ moderately ___ very ___
Comments:

3) What percentage of your faculty, at each rank (asst, assoc, full) spends at least a few hours each week in service activities?

a) Assistant professor:
Comments:

b) Associate professor:
Comments:

c) Full professor:
Comments:
4) How are faculty assigned to department committees?

a) Assistant professor:

Comments:

b) Associate professor:

Comments:

c) Full professor:

Comments:

5) My next questions concern how faculty gender might affect committee assignments:

a) How many of your assistant professors are: female_____ male____?

What is the average number of committee assignments for female faculty at this level? _____

What is the average number of committee assignments for male faculty at this level? _____
b) How many of your associate professors are: female____ male___?

What is the average number of committee assignments for female faculty at this level? _____

What is the average number of committee assignments for male faculty at this level? ___

c) How many of your full professors are: female____ male___?

What is the average number of committee assignments for female faculty at this level? _____

What is the average number of committee assignments for male faculty at this level? ___

d) Do you think that a faculty member’s gender affects his or her service load? If so, why?

6) How heavily is service weighted in hiring, promotion, and compensation?

a) Assistant professor: not at all ____ somewhat ____ moderately ____ very ____

Comments:

b) Associate professor: not at all ____ somewhat ____ moderately ____ very ____

Comments:

c) Full professor: not at all ____ somewhat ____ moderately ____ very ____

Comments:
7) How are the following areas of service weighted in your department?

- **Dept. vs. College & University**

  a) Assistant professor: more _____ equal _____ less _____

  Comments:

  b) Associate professor: more _____ equal _____ less _____

  Comments:

  c) Full professor: more _____ equal _____ less _____

  Comments:

- **Department vs. profession**

  a) Assistant professor: more _____ equal _____ less _____

  Comments:

  b) Associate professor: more _____ equal _____ less _____

  Comments:

  c) Full professor: more _____ equal _____ less _____

  Comments:
- **Department vs. community**

  a) Assistant professor: more _____ equal _____ less _____

  Comments:

  b) Associate professor: more _____ equal _____ less _____

  Comments:

  c) Full professor: more _____ equal _____ less _____

  Comments:

8) How do you evaluate service activities? *If necessary, prompt regarding quality (impact, value) vs. quantity (number of committees, amount of time).*

  a) Assistant professor:

  b) Associate professor:

  c) Full professor:
8) Do you have awards for various types of service? If yes, please list.

9) Is there anything else you’d like to say about service at NDSU?
Service Survey (Deans)

My name is Dasha Zabelina. I am assisting Dr. James Council in a project approved by the University Senate. We are conducting a telephone survey to determine how faculty service is assigned, evaluated, and rewarded at NDSU. Service is broken down to three main areas: service to NDSU, the profession and the community. Within each category, we are assessing how service is weighted in promotion/tenure, annual pay increases, and awards for service. We also assessing whether a faculty member’s gender might play a role in service assignments. The emphasis for Deans is on University and College Service.

This survey should take about _____ minutes to complete. Your participation is entirely voluntary, and you may withdraw from participation at any time. We are unable to compensate you for participating, but we feel that this survey will generate important information for NDSU.

No individuals will be identified in any publication or presentation of the results. However, it may be useful to identify specific departments or colleges. We hope that is acceptable – if it is not, please let me know now.

If you have any questions about this project, please call Dr Jim Council, President of University Senate, at 231-7065. If you have questions about the rights of human participants in research, or want to report a problem, you should contact the NDSU IRB Office, (701) 231-8908.

Thank you for your participation in this study. If you wish to receive a copy of the research results, please let me know.
Name of interviewee: ____________________________________________

College: ________________________________________________________

Date of interview: _______________________________________________

Request a copy of every college’s promotion/tenure criteria, as well as any other documents pertaining to service expectations.

**Interview**

*Please note: the questions I will be asking refer only to tenured and tenure-track faculty.*

1) How do you define “meaningful service” at each of the following levels? *In your definition, be sure to address aspects of service specific to your college and the university.*

a) Assistant professor:

b) Associate professor:

c) Full professor:
All of the following questions refer to meaningful service, as you have defined it:

2) In your opinion, how important is service at the following levels?
   a) Assistant professor: not at all ___ somewhat ___ moderately ___ very ___
      Comments:

   b) Associate professor: not at all ___ somewhat ___ moderately ___ very ___
      Comments:

   c) Full professor: not at all ___ somewhat ___ moderately ___ very ___
      Comments:

3) What percentage of your faculty, at each rank (asst, assoc, full) spends at least a few hours each week in service activities?
   a) Assistant professor:
      Comments:

   b) Associate professor:
      Comments:

   c) Full professor:
      Comments:
4) How are faculty assigned to college and university level committees?

a) Assistant professor:

Comments:

b) Associate professor:

Comments:

c) Full professor:

Comments:

5) My next questions concern how faculty gender might affect committee assignments:

a) How many of your assistant professors are: female____ male____?

What is the average number of committee assignments for female faculty at this level? _____

What is the average number of committee assignments for male faculty at this level? _____
b) How many of your associate professors are: female____ male___?
What is the average number of committee assignments for female faculty at this level? _____
What is the average number of committee assignments for male faculty at this level? ___
c) How many of your full professors are: female____ male___?
What is the average number of committee assignments for female faculty at this level? _____
What is the average number of committee assignments for male faculty at this level? ___
d) Do you think that a faculty member's gender affects his or her service load? If so, why?

6) How heavily is service weighted in hiring, promotion, and compensation?
   a) Assistant professor: not at all ___ somewhat ___ moderately ___ very ___
      Comments:

   b) Associate professor: not at all ___ somewhat ___ moderately ___ very ___
      Comments:

   c) Full professor: not at all ___ somewhat ___ moderately ___ very ___
      Comments:
7) How is service weighted in your college?

- College vs. Department

a) Assistant professor: more _____ equal _____ less _____
   Comments:

b) Associate professor: more _____ equal _____ less _____
   Comments:

c) Full professor: more _____ equal _____ less _____
   Comments:

- College vs. University

a) Assistant professor: more _____ equal _____ less _____
   Comments:

b) Associate professor: more _____ equal _____ less _____
   Comments:

c) Full professor: more _____ equal _____ less _____
   Comments:
- College vs. Profession

a) Assistant professor: more _____ equal _____ less _____

Comments:

b) Associate professor: more _____ equal _____ less _____

Comments:

c) Full professor: more _____ equal _____ less _____

Comments:

- College vs. Community

a) Assistant professor: more _____ equal _____ less _____

Comments:

b) Associate professor: more _____ equal _____ less _____

Comments:

c) Full professor: more _____ equal _____ less _____

Comments:
8) How do you evaluate service activities? *If necessary, prompt regarding quality (impact, value) vs. quantity (number of committees, amount of time).*

*Free response item:*

a) Assistant professor:

b) Associate professor:

c) Full professor:

8) Do you have awards for various types of service? If yes, please list.

9) Is there anything else you’d like to say about service at NDSU?
Rules of Debate:

No one is entitled to the floor a second time in debate on the same motion on the same day as long as any other member who has not spoken on this motion desires the floor. (RROO, section 3, “Obtaining and Assigning the Floor”)

[In general, in] the debate, each member has the right to speak twice on the same question on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day has exhausted his right to debate that question for that day. (RROO, section 4, “Debate on the Question”)

Debate must be confined to the merits of the pending question. Speakers must address their remarks to the chair, maintain a courteous tone, and –especially in reference to any divergence of opinion–should avoid injecting a personal note into debate. To this end, they must never attack or make any allusion to the motives of members. (RROO, section 4, “Debate on the Question”)

If a member commits only a slight breach of order–such as addressing another member instead of the chair in a debate, or, in a single instance, failing to confine his remarks to the merits of the pending question–the chair simply raps lightly, points out the fault, and advises the member to avoid it. The member can then continue speaking if he commits no further breaches. More formal procedures can be used in the case of serious offenses (RROO, section 61, “Breaches of Order by Members in a Meeting”)

Overview of Conversation with Dr. John Campbell  
Leader of the Consultant-Evaluator (C-E) Team from the HLC  

Date of conversation: Thursday, September 29, 2005  

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Scheduling:  

Sunday, February 12, 2006:  
Whether NDSU elects to host a small reception or not is President Chapman’s decision. If a small reception were to be the choice, Dr. Campbell indicated that this is often an opportunity for C-E Team members to meet key university officials, Board members, community leaders, etc. Team members would begin their activities after the reception.  

A work room will be reserved at the hotel for use by members of the C-E team on Sunday, Monday, and Tuesday.  

Monday, February 13, 2006:  
Team members typically meet with the President as the initial activity. This meeting can be with the President (only) or with individuals invited by the President. The Prairie Rose rooms will serve as the Resource Room for the C-E Team. Linda Gill and Char Goodyear have been identified by the President’s Cabinet to serve as managers of the Resource Room. All available rooms in the Memorial Union have been reserved for meeting and work rooms.  

Team members will meet, individually or in small groups, with administrators, faculty, staff, students, and members of the community on Monday and Tuesday.  
(Note: Dr. Campbell indicated that one university used the opportunity for open comments to invite an array of supporters to speak on behalf of the institution.)  

Dr. Campbell suggested a working lunch on Monday for some members of the C-E Team to meet representatives of the State Board of Higher Education and representatives from the Board Office.  

Team members typically elect dinner on their own (as a group) on the first evening of the Site-Visit.
Tuesday, February 14, 2006:
Team members continue meeting with a variety of individuals and groups.

Dr. Campbell suggested a luncheon on Tuesday for several Team members to meet with leaders of Student Government.

Dinner on Tuesday will probably be pizza in the hotel work room as Team members complete preliminary work.

Wednesday, February 15, 2006:
Team members complete preliminary work, leave the hotel, and travel to campus. They present a preliminary (oral) report to President Chapman and any individuals that may be invited. After presentation of the preliminary report, the members of the C-E Team leave for the airport.

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In essence, the C-E team will wish to meet with all top administrators. Topics, at the very least, will include activities and functions, budgets, and planning.

In addition to Vice Presidents, meetings may be scheduled or records may be sought for (in alphabetic order):

Academic Deans (as a group and individually with the C-E assigned to review that college).
- Minutes of college faculty meetings will be needed.
- Records of academic advising and “dealings with students” (resolution of student complaints?) will be needed.
- Deans should identify major activities and accomplishments in their college for the last 10 years.
- Strategic planning for each college.
- Public service activities by college - conferences, short courses, workshops and other activities conducted to enhance public support.

Admissions (practices and requirements/standards),
Affirmative Action, EEO officers and records,
Alumni Association and Development Foundation (records, audits),
Athletics (funding, graduation rates, recruiting, Title IX, etc.),
Audit reports (University-wide),
Business and Finance (financial stability, revenue streams, documents, with an emphasis on the results of audits),

Campus crime statistics,

CCLP (as an example of an area of emphasis),

Committee records for major committees of each Senate (University, Staff, Student),

Complaint records (students, faculty and staff, or general public),

Distance Education (This will be an emphasis, based upon our request to offer programs and degrees electronically),

Faculty Leaders (e.g., University Senate, possibly Executive Committee),

Financial Aid (administration, default rates, Title IV compliance, etc.),

Graduate and Interdisciplinary Studies (Dean),

Honors Program,

Human Relations (personnel records, hiring practices, etc.),

ITS (including demonstrating the ability to provide support to remote learners),

Legislative reports that pertain to NDSU,

Library Administration (again, including demonstration of an ability to provide services to remote learners),

Multicultural Student Services,

Open meeting for faculty, staff, students, and members of the public,

NDSU Extension Service,

Public Affairs Office (University Relations, focus on publications),

Public service activities of faculty, staff, and students (by college) for the last five years (Student Affairs has opportunities here.),

Registrar (Records, transfer policies is one area of emphasis, etc.),

Residence Life,

Self-Study Steering Committee,

Staff Senate (Executive Committee?),

State Board of Higher Education (Team Leader + 1 or 2 C-Es. Records (include Board minutes, reports of special steering committees, etc.),

Strategic Planning (documentation and planning group),

Student Government/Student Senate,

Student Affairs and Student Life,

University Assessment Committee (and possibly the General Education Committee),

Women’s Studies (Director).
Please note that the list is only a partial and preliminary list! The detail listed for Academic Deans was intended to provide an overview of the depth of information that the C-E Team may seek.
**Academic Affairs Committee**

Curricular Recommendations

### New Programs

<table>
<thead>
<tr>
<th>Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Communication, B.A., B.S. and minor</td>
</tr>
<tr>
<td>Health Communication, B.A., B.S. and minor</td>
</tr>
<tr>
<td>Journalism, Broadcasting, and Mass Communication Technologies, B.A., B.S. and minor</td>
</tr>
<tr>
<td>Management Communication, B.A., B.S. and minor</td>
</tr>
<tr>
<td>Public Relations and Advertising, B.A., B.S. and minor</td>
</tr>
</tbody>
</table>

### Change in Program Titles

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Engineering, M.S.</td>
<td>Electrical and Computer Engineering, M.S.</td>
</tr>
<tr>
<td>Genomics</td>
<td>Genomics and Bioinformatics, M.S. &amp; PH.D.</td>
</tr>
</tbody>
</table>

### Termination of Program

<table>
<thead>
<tr>
<th>Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mass Communication, B.A. and B.S.</td>
</tr>
<tr>
<td>Speech Communication, B.A. and B.S.</td>
</tr>
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</table>

### New Courses

<table>
<thead>
<tr>
<th>Dept.</th>
<th>No.</th>
<th>Title</th>
<th>Crs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUSN</td>
<td>458/658</td>
<td>Labor-Management Relations</td>
<td>3</td>
</tr>
<tr>
<td>CFS</td>
<td>474/674</td>
<td>Sensory Science of Foods</td>
<td>2</td>
</tr>
<tr>
<td>CFS</td>
<td>480/680</td>
<td>Food Product Development</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>375</td>
<td>Principles and Practices of Advertising</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>376</td>
<td>Advertising Creative Strategies</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>377</td>
<td>Advertising Media Planning</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>482</td>
<td>Organizational Communication II</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>489</td>
<td>Communication Capstone</td>
<td>3</td>
</tr>
<tr>
<td>MICR</td>
<td>775</td>
<td>Molecular Virology</td>
<td>3</td>
</tr>
<tr>
<td>MICR/CFS</td>
<td>454/654</td>
<td>Bioprocessing</td>
<td>3</td>
</tr>
<tr>
<td>PHRM</td>
<td>485/685</td>
<td>Economic Outcomes Assessment and Relevant Issues</td>
<td>2</td>
</tr>
</tbody>
</table>
PHRM 565 Pharmacy-Based Immunization Delivery 1
PHYS 251R University Physics I Recitation 1
PHYS 252R University Physics II Recitation 1
SAFE 753 Food Toxicology 2
TL 721 International Logistics Management 3
TL 723 Advanced Supply-Chain Planning Across the Enterprise 3
TL 725 Technology Advances and Logistics 3
TL 727 Organizational Change Management 3
TL 729 Adaptive Planning in Logistics Systems 3
TL 731 Logistics Research Methods 3
TL 733 Military Case Studies in Logistics and Supply Chain Management 3
VETS 482 Large Animal Techniques 3

Course Deletions
ECE 323 Electronics II 3

Changes in Course Prefix, Number, Title, and Credits

<table>
<thead>
<tr>
<th>Dept.</th>
<th>No.</th>
<th>From</th>
<th>Crs.</th>
<th>Dept.</th>
<th>No.</th>
<th>To</th>
<th>Crs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUSN</td>
<td>455</td>
<td>Labor Relations and Alternative Dispute Resolution</td>
<td>3</td>
<td>BUSN</td>
<td>455</td>
<td>Negotiation and Alternative Dispute Resolution</td>
<td>3</td>
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<tr>
<td>CFS</td>
<td>470</td>
<td>Food Processing</td>
<td>3</td>
<td>CFS</td>
<td>470</td>
<td>Food Processing II</td>
<td>3</td>
</tr>
<tr>
<td>COMM /BUSN</td>
<td>483</td>
<td>Organizational Communication</td>
<td>3</td>
<td>COMM/ BUSN</td>
<td>383</td>
<td>Organizational Communication I</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>601</td>
<td>Survey of Rhetorical Theory</td>
<td>3</td>
<td>COMM</td>
<td>761</td>
<td>Survey of Rhetorical Theory</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>683</td>
<td>Organization Communication I</td>
<td>3</td>
<td>COMM</td>
<td>783</td>
<td>Advanced Organizational Communication I</td>
<td>3</td>
</tr>
<tr>
<td>COMM</td>
<td>784</td>
<td>Organizational Communication II</td>
<td>3</td>
<td>COMM</td>
<td>784</td>
<td>Advanced Organizational Communication II</td>
<td>3</td>
</tr>
</tbody>
</table>
Review of General Education Courses

General Education Recommendations.

| Outcomes Key: | 1. Communicate effectively in a variety of contexts and formats. | 2. Locate and use information for making appropriate personal and professional decisions. | 3. Comprehend the concepts and perspectives needed to function in national and international societies. | 4. Comprehend intrapersonal and interpersonal dynamics. | 5. Comprehend concepts and methods of inquiry in science and technology, and their applications for society. | 6. Integrate knowledge and ideas in a coherent and meaningful manner. | 7. Comprehend the need for lifelong learning. |

Courses Withdrawn from General Education List of Approved Courses - at Department’s Request

<table>
<thead>
<tr>
<th>Course No.</th>
<th>Course Title</th>
<th>Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARCH/LA 172</td>
<td>Environmental Design II</td>
<td>A</td>
</tr>
<tr>
<td>WS 350</td>
<td>Perspectives in Women’s Studies</td>
<td>A, D</td>
</tr>
</tbody>
</table>

Continued Approval (5-Year Renewal) for General Education with Changes in Outcomes

<table>
<thead>
<tr>
<th>Course No.</th>
<th>Course Title</th>
<th>Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSCI 114</td>
<td>Microcomputer Packages</td>
<td>ST</td>
</tr>
<tr>
<td>CSCI 116</td>
<td>Business Use of Computers</td>
<td>ST</td>
</tr>
<tr>
<td>POLS 115</td>
<td>American Government</td>
<td>B</td>
</tr>
<tr>
<td>POLS 220</td>
<td>International Politics</td>
<td>B, G</td>
</tr>
</tbody>
</table>
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section
126: Salary – Regular Employee

Policy no longer necessary due to PeopleSoft; encompasses the directions to completing a payroll form.

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

Policy Coordination Committee – 9/15/05
Staff Senate –
University Senate –
President’s Council –

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

Human Resources/Payroll (9/05)

SECTION 126: SALARY – REGULAR EMPLOYEE


1. This section applies to individuals occupying a single position listed on the payroll budget; such position identified by a budget position number and appointment approved by the State Board of Higher Education.

2. Complete the Personnel Appointment Form 100 excluding the area marked Human Resources Only. This area is to be completed by Payroll or the Office of Human Resources. Submit the original form to:

   Faculty & Academic Staff  Staff
   0000 & 2000 bands  1000, 3000-7000 bands
   Director of Equal Opportunity  Assistant Director of Human Resources

It is very important that this form is filled in accurately.
3. If employment is for less than 40 hours per week, indicate percent of full time (i.e., 20 hours = 50 percent). Refer to Section 101 for definitions of regular and temporary positions. Note: Graduate assistants will normally work 20 hours per week. As such, a full-time graduate assistant is equal to one-half of a full-time staff person. (i.e., 20 hours = 50 percent; 10 hours = 25 percent).

4. Complete the fund source data for each position from which the employee is to be paid. The position number must be an active position in the payroll budget. The budget column represents the amount at which the position is budgeted and can be obtained from the payroll budget.

5. The total salary and number of installments should include the total salary and the total number of installments exclusive of the fractional salary, and should reflect the total salary to be paid over the employee's appointment whether 9, 10, or 12 months. (DO NOT complete this area for remaining salary or installment).

6. The fringe benefit area is to be completed if fringe benefits applicable to the position are to be charged to another fund, i.e., the procedure applicable to appropriation funds.

7. The partial salary column is to be used for the partial month salary of employees starting on payroll during the month.

8. Individuals staffing regular positions are entitled to benefits as described in Sections 130-146.

9. Refer to Section 312 for explanation of Section 117, IRS Code relevant to the tax exempt compensation.

10. Refer to Section 125 for instructions relative to employees who are not U.S. citizens.

11. The names of the employees paid under this method will be entered on the annual payroll budget. The information contained in such budget will form the basis for salary payments for the coming fiscal or academic year, whichever is applicable. Contracts, where applicable, will be prepared from information contained in the payroll budget.

12. The payroll budget serves as a reappointment mechanism for all employees listed thereon. Salary payments are automatically initiated in July or September. No payroll forms are necessary.

13. Employees who are not included on the payroll budget will be paid the number of installments indicated on the Form 100. When all installments have been paid, a form 101 (Section 124) must be filed in order to reflect either a termination or a reappointment for another series of installments.

HISTORY: July 1990; Amended April 1996; September 1999.
Vertical Writing-Motion to Amend:

Dr. Kevin Brooks, Department of English, moves to amend the vertical writing curriculum requirement motion, which was approved by University Senate on October 10, 2005, as follows:

**Delete effective for new students entering NDSU during fall semester 2006, and insert effective for new students entering NDSU during fall semester 2007.**

Rationale: This original date was selected two years ago when the proposal was first introduced. With the proposal having just been approved this fall, additional lead time is needed to fully implement the requirements of the new curriculum and to ensure a well functioning process which will accompany the vertical writing details.
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 350.3: Board Regulations on Nonrenewal; Termination or Dismissal of Faculty

Changes to NDSU Policy 350.3 are based on changes to SBHE Policy 605.3. Notice timelines have changed in Section 1. In Section 9, “sanction” now has a more narrow definition. Less severe sanctions, such as a letter of reprimand, can no longer be appealed to the Standing Committee on Faculty Rights.

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

Policy Coordination Committee - 4/21/05
Staff Senate -
University Senate –
President’s Council -

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

General Counsel (4/21/05)

SECTION 350.3 BOARD REGULATIONS ON NONRENEWAL; TERMINATION OR DISMISSAL OF ACADEMIC STAFF FACULTY

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

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

a. Notice shall be given:

(1) Not later than March 1 of the first academic year of service if the appointment expires at the end of that academic year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its At least 90 days prior to termination during the first year of probationary employment at the institution.

(2) Not later than December 15 of the second academic year of service if the appointment expires at the end of that academic year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its
At least 180 days prior to termination during the second year of probationary employment at the institution.

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

b. A department chair, dean or other person authorized under institution policies to give such notice shall provide written notice of the decision, including a reference to the policy section pursuant to which the action is taken. The faculty member may within ten calendar days after receipt of the notice request a reconsideration by the deciding body or individual. The faculty member may incorporate a request for mediation in the request for reconsideration. The institution shall respond in writing to the faculty member within ten calendar days after receipt of the request.

Nonrenewal decisions shall be made in every instance by the University President. Recommendations for nonrenewal shall be initiated within the academic unit in accordance with Policy 352. Colleges shall have specific procedures for nonrenewal recommendations prior to the sixth year in accordance with Policy 352 and 350.3.2. (See below.) A department chair may initiate a review for nonrenewal at any time.

2. An institution may terminate a probationary appointment, effective at the end of any contract term, with no less than 90 days notice of nonrenewal, based upon a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses. The notice of nonrenewal shall include a reference to the policy section pursuant to which the action is taken. When a probationary appointment is terminated pursuant to this subsection, the provisions of subsection 1 do not apply.

3. A special appointment terminates at the end of the term stated on the contract and may be renewed at the discretion of the institution.

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

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

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

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

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

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

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

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

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

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

c. The procedure and criteria for identifying the individuals whose appointments are to be terminated.
(1) An administrative decision to terminate a tenured faculty member within the university shall be preceded by the following steps:

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

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

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

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

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

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

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

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

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

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

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

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

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

A sanction is defined as any disciplinary action or restriction, limitation, suspension or termination of normal faculty privilege. These may include, but are not necessarily limited to, salary reduction, reassignment of duties, or letter of reprimand. A failure to give a discretionary salary raise is not normally a sanction. Actions related to salary raises are subject to the grievance policy, Section 353.


Last Updated: Tuesday, January 22, 2002, 2:31 PM
Published by North Dakota State University
1. Effect of policy addition or change (explain the important changes in the policy or
effect of this policy):

Section 337: Grade Appeals Board

Changes include a more detailed process for grade appeals and a provision for
under extraordinary circumstances (such as a clear injustice or mistake), a
department chair with the approval of the dean of the college may change a grade
without the instructor’s approval.

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

Policy Coordination Committee: 2/24/05; 4/21/05; 5/19/05
University Senate:
Staff Senate:
Student Senate/Executive Board:
President’s Council

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

Grade Appeals Board (1/10/05; 2/24/05; 4/21/05)
General Counsel (4/21/05)
SECTION 337: GRADE APPEALS BOARD – Revision Draft

SOURCE: University Senate
NDSU President

1. A University Senate Grade Appeals Board shall be established with authority to hear charges of inequitable or prejudiced academic evaluations and to provide redress for any improper evaluations as it may find to have actually taken place.

2. The Board shall consist of the following persons:
   a. One faculty member and one alternate from each representation unit (except the College of University Studies) to be elected by the faculty of each college for three-year terms. The term shall commence on the Tuesday following the May Senate meeting.
   b. Three full-time students and three alternates, each with a minimum 2.0 grade point average and a standing of at least second semester sophomore, who have earned at least 45 credits and have completed at least 2 semesters at NDSU, to be appointed by the Student Senate. Terms shall be for one year, commencing on the Tuesday following the May University Senate meeting.
   c. A chair, in addition to the foregoing members, to be elected by the Senate membership. The chair shall be a tenured faculty member who has previously served at least a full year as a member of the grade appeals board. The chair shall serve for three years with the term to commence on the Tuesday following the May Senate meeting of the first year for which he/she was elected.

3. The Grade Appeals Board shall act in accordance with procedures approved by the University Senate.

GRADE APPEALS BOARD PROCEDURES
PREREQUISITES FOR APPEAL:

1. The Board may be utilized only after the student has exhausted possible appeal routes within the college offering the course involved. Each individual college will be expected to specify such appeal routes, but the following guidelines should be adhered to as closely as possible and will apply in the absences of any specialized procedures.
   a. A student must initiate a request for a change of grade with the instructor within three weeks fifteen (15) instructional days of the first day of the semester immediately following the semester in which the grade was awarded. For Spring Semester courses, the request may be made within three weeks fifteen (15) instructional days at the start of Fall Semester, if the student is not enrolled for a summer term, but is enrolled in Fall Semester. An appeal is deemed formally initiated when the student presents the Grade Appeal Form to the instructor. The instructor must date and initial the form at that point. Within five (5) instructional days, the instructor shall inform the student of his/her decision, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.
b. If there is unsatisfactory decision resolution, the student must consult (1) the instructor, (2) the department chairman, and then (3) the dean or a designated college committee, proceeding from one level to the next only after an unsatisfactory resolution decision of the conflict at that level. In the event that the instructor is also the department chair or dean, he or she need only be consulted in the capacity of instructor. In the event the department chair is the dean, the next level would be a designated college committee. If a designated committee does not exist within that college, one would proceed to the Grade Appeals Board. The student shall have five (5) instructional days following an unsatisfactory decision of the appeal to continue with the appeal at the next level. At each stage, the individual considering the appeal shall inform the student of his/her decision, record the steps taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.

c. The instructor must be informed of all proceedings in Section b above by the Appeal Chair.

d. Both the instructor and the student shall have the right at any time during the proceedings to call a meeting of all persons involved in submitting and considering the complaint appeal and, optionally, to invite the Board to send an observer to that meeting.

e. In the event that the instructor is no longer employed by North Dakota State University, or is on leave from the University, the instructor may designate another faculty member from within the department to represent his interest in the grade appeal. If the instructor is not available to designate a substitute, the department chair shall represent the absent faculty. If the department chair is not a neutral party, an impartial substitute shall be designated by the dean.

f. In the event that the instructor is the Chair of the Grade Appeals Board, the Board must assign another Board member to act as Chair must be assigned by the Chair from the Board members.

2. In the event of an unsatisfactory resolution decision of the conflict within the college, the student may submit a formal written appeal to the Chair of the Board. Such an appeal shall be made within three weeks fifteen (15) instructional days after conclusion of the college proceedings as stated above. At that time the Board may either hear or refuse the appeal, depending on its analysis of the questions raised by the written appeal. Prior to making the decision, the Board may require that additional information be provided in writing by either the instructor or the student.

3. In extraordinary circumstances (such as avoiding a clear injustice or mistake, e.g., an instructor leaves, refuses to respond to inquiries about the grade, there is a mathematical error or violation of the syllabus), and after the procedures in Subsection 1 above have been completed, a department chair, with approval of the dean of the college, can change a grade without the instructor’s approval. An instructor can appeal such grade change to the Grade Appeals Board pursuant to this Policy. Colleges can adopt procedures to implement this subsection. (Note: The purpose of this provision is to avoid having to make the student go through the formal appeal to the Grade Appeals Board where the outcome is certain and clear in the student’s favor.)
4. The Chair of the Board may designate a Board member as Appeal Chair or process the appeal himself. If the Chair designates an Appeal Chair, the Chair will forward the appeal document to the Appeal Chair within five (5) instructional days of receiving the appeal. Appeal Chair should be from a school outside that of the instructor whose grade is being appealed. If the instructor is the Chair of the Grade Appeals Board, the Board members shall designate an Appeal Chair.

5. The Appeal Chair will send a copy of the appeal document to the instructor within ten (10) instructional days. The instructor will have fifteen (15) instructional days to respond to the student’s appeal.

6. The Appeal Chair will then distribute copies of the appeal document and the instructor’s response to all Board members, alternates, and the instructor within five (5) instructional days.

7. Each Board member and alternate will must email the Appeal Chair within five (5) instructional days regarding indicating either for or against the need to hold a meeting to discuss the appeal. If in order to deny an appeal, two-thirds of the members must state that the student has not made a case. If the appeal is denied, and the student is notified, in writing, within five (5) instructional days of the Board’s decision. Otherwise, if less than two-thirds of the Board members and alternates indicate that the student has not made a case, the Appeal Chair will call a meeting of the Board within ten (10) instructional days.

8. At this meeting, the Board will raise any questions unanswered by the appeal and instructor’s response. The Board will then vote to decide whether to hold a hearing based on the following criteria: the student presented evidence of prejudicial grading or raised questions of the possibility of prejudicial grading. A hearing will be scheduled within fifteen (15) instructional days if a simple majority of members vote to hold a hearing.

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

HEARING PROCEDURES

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

b. All hearings are normally open only to those people who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the student, instructor, and chair of the Board.

c. The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings and advise his/her party. Under no circumstances will this advisor/counsel be permitted to address the Board or witnesses.

2. Evidence. Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all reasonable and relevant information to be presented for the Board’s consideration.

a. Hearsay evidence is permitted; the members of the Board may consider such evidence and assign it any weight appropriate by each individual Board member.

b. An absolute right of cross-examination is not granted under this policy. The chair of the Board will allow all relevant and reasonable questions to be placed to either party or their witnesses, but retains the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude by the Chair to respond to those questions fully.

c. Either party or their witnesses before the board will be permitted to elaborate on written documents previously submitted to the board in their oral presentations to the board.

d. Parties planning to bring exhibits to a hearing must generally provide copies of those exhibits to the other parties and the members of the board three (3) instructional days prior to the hearing to allow for a review of the exhibits and the development of any pertinent questions. The chair may permit deviations to this time restriction so long as the other party has sufficient time to prepare an adequate response.

e. The chair shall have the right to exclude from the hearing and the record any unreliable, prejudiced, or redundant evidence.

2. The Board shall allow an initial presentation by the student and then by the instructor involved, after which it may call such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.

f. On questions requiring academic expertise, the board shall rely heavily on the testimony of other members of the department involved, or throughout the NDSU academic community.

4. Both the student and the instructor shall have the right to be present during the presentation of any testimony before the Board and to address questions to any person presenting such testimony.
5. The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings, advise their party, and, with the consent of the Board chairperson, question witnesses, present arguments, and summarize evidence.

6. The Board chairperson shall have the right to exclude from the hearing and the record any unreliable, prejudiced, or redundant evidence.

7. Board hearings shall be closed to all but the parties directly involved except where both the student and instructor request an open meeting.

8. In addition to keeping minutes of its proceedings, the Board will provide for the tape recording of all testimony presented to the Board and will allow controlled access to the tape for review or transcription by either the student or the instructor.

9. The Board may not release any information about its investigation to anyone but the parties directly involved.

10. The burden of proof shall be on the student.

11. The Board's final decision in any particular case must be based solely upon testimony and other evidence given to the Board in that case.

12. A two-thirds vote by secret ballot of the Board, i.e., four of the six voting members of the hearing panel, shall be required to uphold the student's appeal and approve a change in grade.

g. In reaching a decision the board shall consider only information produced at the hearing and will evaluate the information using the "more likely than not" standard of proof. The burden of proof shall be on the student to establish that his/her grade should be changed.

h. The voting members of the board will determine, by a two-thirds majority vote, if the student’s appeal should be granted. A second vote shall then be held to determine by simple majority vote what the student’s revised grade should be. All votes shall be conducted by secret ballot.

i. All hearings of the board will be recorded up to the point of the board's deliberations necessary to render a decision. A copy of the recording shall be retained in the Office of the Provost and Vice President for Academic Affairs for a period not less than three (3) years. The board will allow controlled access to the tape for review or transcription by either the student or the instructor.

j. The Board shall allow an initial presentation by the student and then by the instructor involved, after which it may call such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the
authority to compel the appearance or testimony of essential witnesses from the
NDSU academic community.

3. Hearing outline.
   a. The Chair will call the meeting to order and will introduce the members of the
      board and their function within the University community.
   b. The Chair will describe the general outline of the hearing and read the evidentiary
      rules to the board. The chair will read the following honesty statement:

      The University expects that all information presented
      in this hearing will be true and correct to the best of
      each person’s knowledge. If a student willfully provides
      false information, he/she will be in violation of NDSU’s
      Code of Student Behavior. As a result, he/she may be
      subject to disciplinary action. Dishonest behavior by
      any faculty or staff member will be reported to that
      person’s supervisor for any necessary disciplinary action.

      All potential witnesses will be advised of this honesty statement in advance.

c. The chair will excuse witnesses from the room at this point.
d. The chair will introduce the student who will present the appeal and any evidence.
e. The chair will introduce the instructor who will respond to the student’s appeal
   and present any additional evidence.
f. The student will be allowed to present witnesses, who will be allowed to make a
   statement and may be asked questions by the student, instructor, and/or members
   of the board. Questions by both parties may be directed to the chair, who will
   then determine if the question is relevant to the proceeding, ask if the respondent
   understands the question, and request a response. At the chair’s discretion,
   questions may be placed directly between parties. Permission to address parties
   may be withdrawn by the chair at any time.
g. The instructor will be allowed to present witnesses, who will be allowed to make
   a statement and may be asked questions by the student, instructor, and/or
   members of the board. Questions by both parties may be directed to the chair,
   who will then determine if the question is relevant to the proceeding, ask if the
   respondent understands the question, and request a response. At the chair’s
   discretion, questions may be placed directly between parties. Permission to
   address parties may be withdrawn by the chair at any time.
h. The board may compel the attendance of any essential witnesses from the NDSU
   academic community to present testimony. Such witnesses will be allowed to
   make a statement and may be asked questions by the student, instructor, and/or
   members of the board. Questions by both parties may be directed to the chair,
   who will then determine if the question is relevant to the proceeding, ask if the
   respondent understands the question, and request a response. At the chair’s
   discretion, questions may be placed directly between parties. Permission to
   address parties may be withdrawn by the chair at any time.
i. The student and instructor will be permitted to ask questions of each other.
j. **Final questions will be permitted by the members of the board, who may question either party and/or their witnesses.**

k. **The student shall have an opportunity to make a closing statement.**

l. **The instructor shall have an opportunity to make a closing statement.**

m. **Both parties and their witnesses will be dismissed for deliberations by the board and recording will stop at this point. Only board members, the chair, and the board’s counsel/advisor (if designated) may be present during deliberation.**

n. **The chair will send a written notice of the board’s findings to the student, instructor, department chair/head, and dean within ten (10) instructional days of the hearing. If the board votes to change the student’s grade, notice shall also be sent to the University Registrar regarding the grade change. The written notice shall include an explanation of the board’s rationale in making its decision and a signed copy of the Grade Appeal Form attesting to the board’s decision.**

4. **The board may not release any information about its investigation to anyone but the parties directly involved.**

**APPEAL**

Either the student or the instructor may request within **fifteen (15) instructional days** of a hearing panel decision, that the full Board hear an appeal from the decision, citing the error(s) by the hearing panel that would justify a new hearing. **The Board shall meet to consider such a request, but no voting member of the hearing panel shall be eligible to vote on granting a new hearing. Instead, alternate members shall replace those Board members who served on the hearing panel.** If a majority of the full Board decided votes to accept the appeal, it shall proceed to hold a hearing in accordance with the hearing procedures above, **again using alternate members in place of those who served on the hearing panel.** The **Chair of the Board** shall serve as a non-voting moderator at the appeal hearing, and a two-thirds vote by secret ballot of the full Board, shall be required to uphold the student’s appeal and approve a change in grade. **A separate simple majority vote shall determine what the student’s new grade shall be.**

**INTERPRETATION**

No provision in this statement of procedures shall be construed to deny or disparage the full rights of either the student or this instructor as a citizen under the Constitution and laws of the United States.
FACULTY PERSONNEL COMMITTEE

FINAL REPORT
2004-2005 Academic Year

The primary work of the University Senate Faculty Personnel Committee in the Fall of 2004 was to finish the report on the Ombudsman idea. The committee worked through email to finish the work started in the spring of 2004. We completed the final report and sent it to Dr. Harter on September 15, 2004. The report suggested that the University implement the Ombudsman idea on a trial basis.

Dr, Harter in October 2004, requested that the Committee examine how to select the individual to serve as the Ombudsman. The committee met on March 10, 2005 to study this issue. A report was sent to Dr. Harter on April 6, 2005.

The committee did not elect a new chair for the 2005-2006 academic year. Dr Mark Harvey will organize the fall committee meeting if there are any issues brought to our attention. Please send any correspondence to Dr. Harvey. I am rotating off the committee and Dr. David Saxowsky will be the new representative from Agriculture. Please pass this information on to the new presiding officer for 2005-2006.

Respectfully submitted,

Berlin D. Nelson
Chair of Committee
May 11, 2005
Dear Dr. Harter:

As per your email of October 11, 2004 (your letter is attached), the University Senate Personnel Committee discussed the pros and cons of having the duties of the Ombudsman handled by the presiding officer whose term ended the previous year. The committee met on March 10, 2005.

There was strong agreement among the committee members that it was not a good idea to have the Ombudsman be the presiding officer whose term ended the previous year. First, this position should not be a rotating position. It is important that one person serve hopefully for a number of years in the position, not only to “learn the ropes” of such a position, but also to establish a reputation as a trusted person who maintains neutrality that faculty and staff can go to for advice. The person will have a lot to learn about processes in the University. Certainly any presiding officer who was interested in this position could be a candidate for it.

Our committee feels strongly that it will be difficult for a faculty or staff person to perform this job without compensation and or major release from their normal assigned duties. The time involved may be considerable although only through experience will we understand the amount of time one will have to dedicate to the job of Ombudsman. We also believe that if a faculty person were chosen for this position that it should be someone with tenure in the University. Furthermore, since this is a new idea for NDSU and we have no prior experience with this model, there should be some type of non-administrative oversight system (possibly the Senate Executive Committee would be appropriate) to monitor how the Ombudsman idea works and what needs to be adjusted or changed to make it work better. It may be too much work for a person with only part time responsibilities. Our committee suggests that the Senate Executive Committee implement this idea on a trial basis for a few years and see how it works. The critical issue is finding the right person who has the qualities to do the job. Even retired faculty or staff should be considered. We believe it will be critical to obtain support from the University Administration for this idea if it is to succeed.

Also, the Senate Executive Committee should recommend that the Student Senate discuss the idea of a student Ombudsman that is dedicated only to student issues. We recommend that you bring these ideas from our committee to the Senate Executive Committee. We have attached our previous recommendations from September 15, 2004, on the Ombudsman idea.

Sincerely,
Senate Personnel Committee
Berlin Nelson, Chair
October 11, 2004

Berlin,

Thank you for the report from the Personnel Committee on the need for an NDSU Ombudsman. I agree with your committee's conclusion, we do need a part-time ombudsman. The next step is to determine how best to select the individual to serve as part-time Ombudsman.

It seems to me that past presiding officers of the University Senate could potentially be good candidates for the position. Presiding officers gain an extensive knowledge of University Governance and over the course of their term as Presiding Officer they learn who to ask when questions arise. It seems to me that these are exactly the qualities that are need for an effective Ombudsman.

At your next committee meeting please consider the pros and cons of having the duties of Ombudsman handled by the presiding officer whose term ended the previous year.

Thanks,

Dr. Chuck Harter
North Dakota State University
P.O. Box 5075
Fargo, ND 58105

Phone: (701) 231-8970
September 15, 2004

TO: Charles Harter, President of the Senate, and the Senate Executive Committee

FR: Senate Personnel Committee
Mark Harvey
Berlin Nelson
Donald Andersen
Wade Hannonu
Norma Kiser-larson
Isaac Kornfeld
John Bitzan
James Council

Subject: The Ombudsperson concept for NDSU

The Senate Executive Committee in 2003 asked the Personnel Committee to examine the idea of an Ombudsperson for NDSU. The Personnel Committee researched and discussed the idea during the 2003-2004 academic year. Committee members obtained information from various universities around the country and talked to persons in the offices of Ombudsperson (Ombudsman in many places). We also met with Dr. Sandra Holbrook, Director of Equal Opportunity, Rick Johnson, General Council, and we spoke with VP Dr. Craig Schnell about the Ombudsperson concept and the problems /grievances that persons in the University bring forward to be resolved.

The conclusion of the Personnel Committee is that NDSU should establish an Ombudsperson on a trial basis. This position would specifically be to deal with faculty and staff issues, not student issues. The Committee believes the issues facing students are generally different from those of the faculty and staff. The Committee recommends that the Student Senate consider whether an Ombudsperson specifically to deal with student issues is needed and would it be helpful for students.

The primary reason for the establishment of an Ombudsperson for faculty and staff are the following:

1. The position would be the first place a faculty/staff individual would go for information and advice on grievance procedures and other conflict issues. The Ombudsperson would provide frank, non-judgmental and confidential advice, and help steer the individual toward a course of resolving the issue in question. The Ombudsperson can provide options, ideas and feedback to an individual and try to explain if the expectations of the individual are in line with what can be accomplished in the University system. There are also numerous types of grievance/conflict issues that do fall under the purview of EOP or General Council offices of the University
2. This position would be “non administrative”, thus avoid the conflict of interest (i.e., representing the University) that is associated with certain administrative positions such as General Council, Director of Equal Opportunity, etc.

The type of person in the Ombudsperson position will be critical to the success and usefulness of this position. The person would have to be very knowledgeable of University procedures and be capable and enjoy dealing with many types of persons. The Ombudsperson would need to maintain absolute confidentiality on issues brought to them. The Committee believes that an established, respected faculty/staff member with a part time appointment to this position might be the best choice to initiate this concept in the University. The resources to compensate this individual for their efforts would have to be provided by the University Administration. At the present time, we do not believe there is sufficient need for a full-time Ombudsperson to deal with faculty/staff grievance/conflict issues. Only through a trial period to assess the need and usefulness of this position can sufficient evidence be obtained to know if the Ombudsperson idea should be a permanent part of the University.

We are attaching a memorandum from Rick Johnson, General Council, that outlines some of the reasons for an Ombudsperson. We agree with his ideas. Also, some documents about the Ombudsperson idea are included for the Executive Committee to peruse.

Respectfully submitted 9-15-04

Berlin Nelson, Committee Chair

Signature of committee chair
Joint Ad-hoc Committee
Smoking
11/03/05

Committee Members:
Gregory Hayes – RHA – S - Gregory.hayes@ndsu.edu 231-2705
Melissa Dessonville – RHA – NS – Melissa.dessonville@ndsu.edu 231-2307
Megan Wolf – SG - - megan.wolf.1@ndsu.edu 231-2828
Seth Statler – SG – - seth.statler@ndsu.edu 231-2705
Marilyn Koehlmoos – SS – NS – marilyn.kowhlmoos@ndsu.edu 231-6740
Diana Iverson – SS – S – Diana.iverson@ndsu.edu 231-8861
David Hopkins – US – NS – david.hopkins@ndsu.edu 231-8948
Colleen Mancuso – US – S – colleen.mancuso@ndsu.edu 231-5158

Charge:
• Research the smoking issues on campus
• Identify the issues
• Brainstorm a resolution to address the issues
• Propose a policy change addressing the issues
• Maintain equal representation of smokers and non-smokers

Consider:
Utilize Facilities Management, General Counsel, and governing bodies as you prepare to address the smoking issues. These people can be your sounding board to bounce ideas off and ensure the resolutions will stand scrutiny. Another resource for the committee is Rich Fenell from Fargo Cass Public Heath 476-4148. Rich assisted the FM area in their smoking policy creation. He has special training in this area and has offered his assistance should you decide policy is necessary.

Commitment to the Committee: If you are unable to continue with the committee, please find someone to take your place so the work of the committee can see this issue through to resolution.

Assign a chair for the committee to keep the meetings and momentum. One person from each governing body should report to their constituents the progress of the committee.

Goal: Have a preliminary report available to the governing bodies by March 1, 2006. Have resolution to the issues identified by May 1, 2005.


Reminder: Current senators may not serve as substitute for other senators.

Previous Minutes

Minutes of the November 14, 2005, were approved by unanimous consent.

General Announcements

1. President Chapman:
   - Progress is being made on the equity issue.
   - The capital campaign has raised more than $65 million, with over $30 million earmarked for scholarships and faculty support. The campaign is nearing its goal for the new Business building, which will allow us to better utilize space on campus. It is anticipated that the campaign will exceed its $75 million goal.

2. Provost Schnell:
   - NDSU is slated to receive $900,000 out of the $2 million earmarked for equity. The Chancellor’s Cabinet decided to put all the funds into equity instead of dividing it with utilities, which are expected to increase considerably this year. MGT Consulting will report to the legislative committee its recommended options and process for distribution of the equity funds. The consultants will be at NDSU January 9th and will meet with the University Senate Executive Committee, Staff Senate and Student Senate.
   - The Transfer Assurance Guarantee proposed by the NDUS has been revised to only include NDUS institutions.
University Senate Minutes
Fargo, ND  58105 North Dakota State University December 12, 2005

- The reaccreditation site visit is scheduled for February. A draft of the final report is being reviewed. NCA will receive a printed report along with extensive supporting documentation, as well as flash drives with information and reports for each of the consultant evaluators.

3. J. Council, President of University Senate:

- Presented the concept of consent agendas to the Senate as a means to move business forward in a more efficient manner. He shared the consent agenda of a recent State Board of Higher Education meeting.

4. D. Cooley, Parliamentarian

Briefed the Senate on consent agendas.

Committee Reports

1. Academic Affairs (Attachment 1):

D. Meyer, chair, presented two organizational name changes, along with several courses. MOTION (Meyer/Venette): to approve the Academic Affairs report as presented. No discussion. MOTION PASSED WITH UNANIMOUS CONSENT.

2. General Education (Attachment 2):

R. Harrold presented several Physics classes for five year renewal. MOTION (Harrold/Coykendahl): to approve the General Education report as presented. No discussion. MOTION PASSED WITH UNANIMOUS CONSENT.

3. Policy Coordinating Committee:

J. Council presented the following policies for information only (available in PDF format on the University Senate web site):

   1. Policy 137 – Holidays
   2. Policy 231 - Appeal Procedures for Disciplinary and Reduction in Force Actions
   3. Policy 304 - Academic Staff and Executive/Administrative Positions - Procedures for Filling

The following policies were presented for input:

   1. Policy 112 - Pre and Post-Employment Criminal Record (Attachment 3)
      MOTION (Hall/Teigen) to approve policy revisions. MOTION PASSED WITH UNANIMOUS CONSENT.

   2. Policy 407 - Auxiliary Exclusives Services (Attachment 4)
      MOTION (Schnell/Peterson): to approve the policy changes. Provost Schnell explained the rationale behind the proposed policy changes as a self-investment in
the University. Discussion ensued on impacts of exclusive rights on events and student organizations.

MOTION TO AMEND (Hannon/Danbom): to add the following parenthetical statement to section 2.0, “(provided that these are not contracted out).”

MOTION TO AMEND PASSED WITH A VOTE OF 29-21-3. The following senators or their substitutes voted aye: Andersen, Askelson, Bahrami, Balaz, Brooks, Chapman, Clark Johnson, Comez, Cook, Danbom, Garden-Robinson, Grafton, Hageman, Hannon, Harvey, Hauck, Hopkins, Howatt, Knoepfle, Manikowske, Peterson, Rasmussen, Redmer, Robinson, Schnell, Scott, Steele, Terbizan, and Trowbridge. The following senators or their substitutes voted no: Boetel, Coykendall, DeVuyst, Duncan, Duval, Glower, Gross, Hatterman-Valenti, Mallett, Miller, Presser, Randall, Ransom, Reimnitz, Rider, Riley, Rogers, Schwert, Sperl, Wenhao, and Wittrock. The following senators or their substitutes abstained: Beck, Hall, and Teigen.

Concern was raised over whether there is an appeal process if a request is declined by the appropriate auxiliary unit.

MOTION (Rogers/Reimnitz): to accept the following language added as section 2.5, “Student organizations are considered related entities when receiving services in the Memorial Union or for any function larger than 20 people when not in the Union.” Discussion was held on the policy language that allows exception with the approval of the appropriate auxiliary unit or by special contract with the University.

MOTION TO AMEND PASSED WITH A VOTE OF 37-8-3. The following senators or their substitutes voted aye: Andersen, Askelson, Balaz, Beck, Boetel, Brooks, Chapman, Clark Johnson, Cook, Grafton, Hageman, Hall, Hannon, Harvey, Hatterman-Valenti, Hauck, Howatt, Knoepfle, Mallett, Manikowske, D. Miller, Peterson, Presser, Randall, Ransom, Redmer, Reimnitz, Rider, Robinson, Rogers, Schnell, Schwert, Sperl, Teigen, Terbizan, Trowbridge, and Wenhao. The following senators or their substitutes voted no: Coykendall, Danbom, Duncan, Hopkins, Rasmussen, Riley, Scott, and Wittrock. The following senators or their substitutes abstained: Comez, Duval, and Steele.

MOTION TO AMEND (Rogers/Beck): to add to 2.5, “Student organizations may seek outside sources if services cannot be provided by the University.”

MOTION (Schnell/Rogers) to refer the policy back to the Policy Coordinating Committee (PCC) for consideration of the recommendations made by the Senate. MOTION TO REFER THE POLICY BACK TO THE PCC PASSED WITH UNANIMOUS CONSENT.
4. **Council of College Faculties (CCF):**

   T. Barnhart announced a meeting scheduled for December 13, 4 p.m., to discuss the upcoming Arts and Humanities Summit, system-wide faculty grievances, the pre-school to college (P-16) planning task force, and the compensation committee’s annual report.

   CCF minutes and agendas are posted on the NDUS web site (www.ndus.nodak.edu).

   Nearly 60 faculty have indicated they will participate in NDSU’s Fall commencement exercises at the FargoDome.

**New Business**

1. **Academic Standards:**

   MOTION (Schnell/Teigen): to add the following language/clarification to the Undergraduate Bulletin, “If a course taken at NDSU is repeated at another accredited institution, the course/credit will not be accepted in transfer.” MOTION PASSED WITH UNANIMOUS CONSENT.

2. **By-laws Changes**

   Council presented recommendations for changes to the University Senate bylaws to allow for the posting of consent agendas for future Senate meetings.

   The proposed changes would be incorporated in the bylaws under Section VII.10 Agenda:

   1. The consent agenda will be a line on the regular agenda.
   2. Location of line on the agenda must be before unfinished business
   3. Possible wording: “The consent agenda shall consist of any routine or noncontroversial matters the Executive Committee or Senate President adds to the consent agenda. When matters on the consent agenda are called up, they may be considered in gross or without debate or amendment. If one senator objects to any item in the consent agenda, then it will be removed from the consent agenda to be restored to the ordinary process by which it is placed in line for consideration on the regular agenda.”

   MOTION (Reimnitz/Danbom): to approve the proposed bylaws changes for a vote at the January, 2006, meeting.

**Adjournment**

The meeting adjourned at 5:17 p.m.
Academic Affairs Committee

Approved Curricular Recommendations

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<td>From: College of Business Administration To: College of Business</td>
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<td>From: Graduate School To: College of Graduate and Interdisciplinary Studies</td>
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<td>ENGL</td>
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<td>ENGL</td>
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Review of General Education Courses

Approved General Education Recommendations.

<table>
<thead>
<tr>
<th>Outcomes Key:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>1. Communicate effectively in a variety of contexts and formats.</td>
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<td>7. Comprehend the need for lifelong learning.</td>
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</table>

### Continued Approval (5-Year Renewal) for General Education with No Changes in Outcomes

<table>
<thead>
<tr>
<th>Course No.</th>
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<tbody>
<tr>
<td>PHYS 110L</td>
<td>Introductory Astronomy Lab</td>
<td>Sp</td>
<td>5,6</td>
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<tr>
<td>PHYS 120</td>
<td>Fundamentals of Physics</td>
<td>Sp</td>
<td>5,6</td>
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<tr>
<td>PHYS 120L</td>
<td>Fundamental of Physics Lab</td>
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<tr>
<td>PHYS 211</td>
<td>College Physics I</td>
<td>Sp</td>
<td>5,6</td>
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<tr>
<td>PHYS 211L</td>
<td>College Physics I Lab</td>
<td>Sp</td>
<td>5,6</td>
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<tr>
<td>PHYS 212</td>
<td>College Physics II</td>
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<tr>
<td>PHYS 212L</td>
<td>College Physics II Lab</td>
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</tbody>
</table>
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section
112: Pre and Post-Employment Criminal Record

Amend policy to add duty of current University employees to report criminal convictions (all felonies and misdemeanors involving violence or theft) to supervisor.

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

Policy Coordination Committee - 6/15/05, 11/17/05
Staff Senate -
University Senate –
President’s Council -

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

General Counsel

------------------------------------------------------

SECTION 112: PRE AND POST-EMPLOYMENT CRIMINAL RECORD DISCLOSURE

SOURCE: NDSU President

1. All applicants for employment at NDSU, whether full-time or part-time, including student employment, must sign the criminal record disclosure form prior to being hired. Any offer is contingent on return and review of the signed form and verification. The hiring unit is responsible for obtaining the signed form prior to the final offer.

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

3. The form shall be kept in the employee's official personnel file (http://www.ndsu.nodak.edu/policy/718.htm) (or, for individuals not hired, with the applicant's file).

4. Supervisors who have a situation under this policy should consult, prior to making a final hiring determination, with appropriate personnel, for example, Equal Opportunity Director (for non broadbanded positions), Human Resources Director (for broadbanded positions), General Counsel, or their Department Chair or Dean.

5. Current employees have a duty to immediately report a criminal conviction covered under this policy (all felonies and misdemeanors involving violence or theft) to their supervisor. See Policy 155 for arrests and convictions involving drugs and alcohol in the workplace. Additional evidence of the conviction (example, the judgment of conviction) may be placed in the employee’s official personnel file. The employee can add a statement pertaining to the conviction. Whether the conviction has an effect on employment status will be determined by the supervisor after consultation with appropriate personnel. The employee can request that the conviction information be removed from the employee’s official personnel file after misdemeanors are over 5 years old and 10 years for felonies. Information regarding this subsection shall be provided to employees as part of the NDSU Annual Notice of Policies Covered under the ND Risk Management Program.

Effective Date: July 1, 2002
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   Section 407: Auxiliary Exclusive Services

   New policy establishing auxiliary functions’ exclusive rights on campus as sole providers of their service on campus. Auxiliary services has become a significant source of revenue for University operations and it is in the University’s interest to support these services.

   Thus, the policy advances a policy of requiring use of those services by University Departments. It is not intended to interfere with NDSU employees spending their personal funds for personal purchases or services.

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

   Policy Coordination Committee - July 21, 2005
   Staff Senate - 
   University Senate -

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

   VP for Student Affairs

--------------------------------------------------------------------

SECTION 407: Auxiliary Exclusive Services

SOURCE: NDSU President

1.0. Purpose: NDSU auxiliary functions (Dining Services, Wellness Center, Day Care, Student Health Center, Residence Life, Telecom and the Varsity Mart) have all invested heavily in infrastructure in order to serve NDSU. These entities also provide important local dollars to help support the University overall. It is in NDSU’s Interest to support their functions.

2.0. Therefore, this policy establishes “exclusive rights to operate” for those identified auxiliary functions to be the sole providers of their services on campus. NDSU departments and NDSU related entities receiving services on NDSU property must follow this policy.
2.1. The Technology Park and Alumni Association/Development Foundation are entities which are exempt when receiving services on their property as they are separate from the University. However, the functions of the Vice President for Research, Creative Activities, and Technology Transfer are not exempt at the Research & Technology Park.

2.2. This policy does not apply to individual’s purchasing products or services for personal use.

2.3. Departments are encouraged to order their office supplies and equipment from the Varsity Mart.

3.0. Exceptions to this policy may be made with the approval of the affected auxiliary unit.


Reminder: Current senators may not serve as substitutes for other senators.

Previous Minutes

Minutes of the December 12, 2005, were approved by unanimous consent.

General Announcements

1. Associate Vice President for Academic Affairs (on behalf of Provost Schnell):
   - The five new B.S. and B.A. programs in Communication were approved by the SBHE. The English Ph.D. in Rhetoric, Writing and Culture has received Phase II approval.

2. J. Council, President of University Senate:
   - The service assessment project is underway, with a Senate report planned for February. Council thanked the chairs and deans who have responded to the phone survey to date.
   - Members of Staff Senate, University Senate and Student Senate were present at the SBHE conference call in mid-January. New resolutions are presented in New Business as a result of that meeting.

3. D. Cooley, Parliamentarian

Presented a tutorial on how to accurately and efficiently amend, refer (to committee) and withdraw motions. This information is posted on the University Senate web site at [http://www.ndsu.edu/ndsu/deott/univ_senate/](http://www.ndsu.edu/ndsu/deott/univ_senate/).
Committee Reports

1. Academic Affairs (*Attachment 1*):

   D. Meyer, chair, presented recommendations for new courses and course changes. MOTION (Peterson/Reimnitz): to approve the committee recommendations as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

2. General Education (*Attachment 2*):

   M. Christoffers presented one new general education course. MOTION (D. Miller/Teigen) to approve the committee recommendation as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

3. Policy Coordinating Committee:

   E. Berry presented the following policies for information only (available in PDF format on the University Senate web site):

   1. **Section 123 – Payroll Proof Lists** - Policy deleted due to new automated process in PeopleSoft.

   2. **Section 133 – Education Policy** - Changed wording of ‘regular’ employee to ‘benefited’ employee.

   3. **Section 181 - Resignation** – Added language regarding last day of employment, use of sick leave time, and absence on last day of work.

   4. **Section 701 – Telecommunications** – Added language regarding policy governing the use of over the counter long distance calling cards, and updated language regarding cell phone usage.

4. Council of College Faculties:

   T. Barnhart announced the following:

   - The Arts, Humanities and State of the Faculty conference and summit will be held at NDSU on October 27-28.
   - Tom Petros at UND is working on a system-wide faculty grievance/adjudication process.
   - A Statewide Education Task Force met to begin looking at approximately 80-90 issues pertaining to education from pre-school to higher education (P-16).
• The Compensation Task Force met and learned that the compensation report excludes faculty who do not receive salary increases and includes those whose raises result from promotions. The result is that faculty salary increases are being reported at a higher than actual rate.
• The ND Academy of Science Symposium will be held at Minot State University in April.

5. **NCA Accreditation / Assessment Report:**

R. Harrold distributed bookmarks with NDSU’s mission statement. The accreditation team has requested full access to students. The current schedule includes open forums on the afternoon of Tuesday, February 14, in Century Theatre. Senators were encouraged to visit the University Assessment web site for schedule updates and to review the self-study document, [http://www.ndsu.edu/ndsu/accreditation/assessment/index.shtml](http://www.ndsu.edu/ndsu/accreditation/assessment/index.shtml).

**Unfinished Business**

1. **Ombudsman Committee Composition and Chair:**

   Berry reported that student, staff and faculty representatives have been named to a committee to study this issue and to determine if an ombudsperson is needed at NDSU. The ad hoc committee also will consider the scope of and funding for such a position. He plans to have a recommendation before the Senate by April.

2. **Policy 337 – Grade Appeals (Attachment 3):**

   MOTION (Terbizan/Berry): to accept the policy changes as presented. The Bylaws language at the beginning of this policy is not being struck, but is not included in the proposed policy changes. The changes are mostly procedural in nature, and upon approval, a form as referenced in the policy will be developed. MOTION PASSED WITH UNANIMOUS CONSENT.

3. **Policy 407 – Auxiliary Exclusive Services (see December 12 minutes):**

   MOTION (Krishnan, on behalf of Provost Schnell): to withdraw the original motion as presented and amended at the December 2005 meeting. MOTION TO WITHDRAW PASSED WITH UNANIMOUS CONSENT.

4. **Revising Bylaws to Permit Consent Agendas:**

   Council reported that Bylaws changes must be presented to the Senate and considered within 30 days. Too much time has lapsed since the December 2005 meeting for
consideration at the January meeting. MOTION (Reimnitz/Trowbridge) to consider the following Bylaws changes at the February Senate meeting:

Insert the following language into Section 10 of Part VII of the University Senate Bylaws:

1. "Consent Agenda " at agenda business order three, and the rest of the agenda business order lines be renumbered accordingly, and

2. Between the end of the second sentence and before the start of the third sentence of the first paragraph, "The consent agenda shall consist of any routine or non-controversial matters the Executive Committee or Senate President (presiding officer) adds to the consent agenda. When matters on the consent agenda are called up, they may be considered in gross or without debate or amendment. If one or more senators object to an item on the consent agenda, then it will be removed from the consent agenda to be restored to the ordinary process by which it is placed in line of consideration on the regular agenda."

MOTION PASSED WITH UNANIMOUS CONSENT.

New Business

1. Review of Constitution and Bylaws:

The current University Senate Constitution and Bylaws are being reviewed for necessary updates. C. Harter will lead the review process. Suggestions for change should be directed to his attention.

2. University Senate Resolutions (Attachment 4):

The following resolutions were developed following a special meeting with the SBHE to discuss NDSU’s concerns related to equity funding and ConnectND:

- #1-University Senate Resolution Pertaining to Equity Funding at NDSU. MOTION (Beck/Teigen): to approve resolution #1 as presented. Discussion ensued on the perceived tone of the resolution by legislators. MOTION (Little/no second) to strike the word ‘suffered’ and insert the word ‘struggled.’ MOTION FAILED DUE TO LACK OF A SECOND.

MOTION (Coykendahl/Glower): to strike the entire first ‘whereas’ clause. Recommended to spell out NDSU in second (new first) clause. MOTION FAILED BY A VOTE OF 16-37-3. The following senators or their substitutes voted aye: Andersen, Bahrami, Brooks, Coykendall, Duncan, Glower, Grafton, Gustafson, Howatt, Klenow, Knoepfle, Langley, Panigrahi, Rasmussen, Rogers
and Steele. The following senators or their substitutes voted no: Askelson, Balaz, Beck, Berry, Christoffers, Clark Johnson, Cook, Elnahas, Esslinger, Filpus, Garden-Robinson, Hannon, Harvey, Hatterman-Valenti, Kallmeyer, Little, Mallett, Manikowske, Miller, D., Miller, E.J., Montgomery, Ostlie, Presser, Randall, Ransom, Redmer, Reimnitz, Rider, Robinson, Schwert, Scott, Sperl, Teigen, Terbizan, Trowbridge, Webster, and Wittrock. The following senators or their substitutes abstained: Riley and Schnell.

MOTION (Harvey/Miller): to change the language in the first whereas clause to read, “…has experienced the inequitable distribution of state funds to institutions of higher education…” Discussion on keeping “in the past” in the opening statement. MOTION TO AMEND PASSED WITH A VOTE OF 42-14-2. The following senators or their substitutes voted aye: Bahrami, Balaz, Beck, Berry, Christoffers, Clark Johnson, Duncan, Elnahas, Filpus, Garden-Robinson, Glower, Grafton, Gustafson, Hageman, Harvey, Hatterman-Valenti, Kallmeyer, Klenow, Knoepfle, Langley, Little, Mallett, Manikowske, Miller, D., Miller, E.J., Montgomery, Ostlie, Presser, Randall, Ransom, Redmer, Rider, Robinson, Rogers, Schnell, Smith, Sperl, Steele, Teigen, Terbizan, and Webster. The following senators or their substitutes voted no: Ambrosio, Andersen, Askelson, Brooks, Cook, Esslinger, Hannon, Howatt, Panigrahi, Reimnitz, Schwert, Scott, Trowbridge, and Wittrock. The following senators or their substitutes abstained: Coykendall and Riley.

MOTION TO APPROVE THE RESOLUTION AS AMENDED PASSED WITH A VOTE OF 50-4-4. The following senators or their substitutes voted aye: Ambrosio, Askelson, Bahrami, Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Cook, Duncan, Elnahas, Filpus, Garden-Robinson, Grafton, Gustafson, Hageman, Hannon, Harvey, Hatterman-Valenti, Howatt, Kallmeyer, Klenow, Knoepfle, Langley, Little, Mallett, Manikowske, Miller, D., Miller, E.J., Montgomery, Ostlie, Panigrahi, Presser, Randall, Ransom, Rasmussen, Redmer, Reimnitz, Rider, Rogers, Schnell, Schwert, Scott, Smith, Sperl, Teigen, Terbizan, Webster, and Wittrock. The following senators or their substitutes voted no: Andersen, Esslinger, Robinson, and Trowbridge. The following senators or their substitutes abstained: Glower, Riley, and Steele.

- #2-University Senate Resolution Pertaining to the Unique Needs of Institutions and Student Fees Associated with ConnectND. MOTION (D. Miller/Little): to approved the resolution as presented. MOTION TO AMEND (Beck/Hannon): to add the following language between the two originally proposed resolved clauses:
Resolved, that the NDSU University Senate supports moving the control of the ConnectND fee from the NDUS Chancellor to the State Board of Higher Education, and setting a cap of no more than $6.75 per credit, up to 12 credits, per student, per semester, and

Brief discussion on changing the control of this fee from the chancellor to the SBHE. The proposed language would align the fee cap to the amount currently paid by students to fund ConnectND. Clarification was sought on the purpose of the resolutions. The goal is to affect change in state policy.

MOTION TO APPROVE THE AMENDMENT PASSED WITH A VOTE OF 45-10-3. The following senators or their substitutes voted aye: Ambrosio, Andersen, Bahrami, Balaz, Beck, Berry, Brooks, Clark Johnson, Cook, Coykendall, Esslinger, Filpus, Garden-Robinson, Gustafson, Hannon, Harvey, Hatterman-Valenti, Howatt, Kallmeyer, Langley, Little, Mallett, Manikowske, Miller, D., Montgomery, Ostlie, Panigrahi, Presser, Ransom, Redmer, Reimnitz, Rider, Rogers, Schwert, Scott, Sperl, Steele, Teigen, Terbizan, Trowbridge, and Webster. The following senators or their substitutes voted no: Christoffers, Duncan, Glower, Hageman, Knoepfle, Miller, E.J., Randall, Rasmussen, Robinson, and Wittrock. The following senators or their substitutes abstained: Grafton, Klenow, and Schnell.

RESOLUTION AS AMENDED PASSED WITH UNANIMOUS CONSENT.

- #3-University Senate Resolution Pertaining to Support for Dr. George Wallman’s Letter Regarding Problems Associated with ConnectND. MOTION (E.J. Miller/Trowbridge): to approve the resolution as presented. Brief discussion on keeping the word ‘suffered’ in the resolution. MOTION PASSED WITH A VOTE OF 45-10-3. The following senators or their substitutes voted aye: Ambrosio, Andersen, Askelson, Bahrami, Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Cook, Coykendall, Esslinger, Filpus, Garden-Robinson, Glower, Gustafson, Hageman, Harvey, Hatterman-Valenti, Howatt, Kallmeyer, Klenow, Knoepfle, Langley, Little, Mallett, Manikowske, Miller, D., Miller, E.J., Montgomery, Ostlie, Panigrahi, Presser, Randall, Ransom, Rasmussen, Redmer, Reimnitz, Rider, Robinson, Rogers, Schnell, Schwert, Sperl, Steele, Teigen, Terbizan, Trowbridge, and Wittrock. The following senator voted no: Duncan. The following senators or their substitutes abstained: Grafton, Hannon, and Scott.

3. Dr. Wallman’s letter (Attachment 5).

Adjournment

The meeting adjourned at 4:45 p.m.
## Academic Affairs Committee

### Approved Curricular Recommendations

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<tr>
<th>New Courses</th>
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<th>Changes in Course Prefix, Number, Title, and Credits</th>
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New General Education Course with Outcomes

<table>
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<tbody>
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<td>ENGL 336</td>
<td>Literature and the Environment</td>
<td>A, G</td>
<td>1, 6</td>
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</table>
SECTION 337: GRADE APPEALS BOARD - Revision

SOURCE: University Senate
NDSU President

1. A University Senate Grade Appeals Board shall be established with authority to hear charges of inequitable or prejudiced academic evaluations and to provide redress for any improper evaluations as it may find to have actually taken place.

2. The Board shall consist of the following persons:

   1. One faculty member and one alternate from each representation unit (except the College of University Studies) to be elected by the faculty of each college for three-year terms. The term shall commence on the Tuesday following the May Senate meeting.

   2. Three full-time students and three alternates, each with a minimum 2.0 grade point average and a standing of at least second semester sophomore, to be appointed by the Student Senate. Terms shall be for one year, commencing on the Tuesday following the May University Senate meeting.

   3. A chair, in addition to the foregoing members, to be elected by the Senate membership. The chair shall serve for three years with the term to commence on the Tuesday following the May Senate meeting of the first year for which he/she was elected.

   3. The Grade Appeals Board shall act in accordance with procedures approved by the University Senate.

GRADE APPEALS BOARD PROCEDURES
PREREQUISITES FOR APPEAL:

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

   a. A student must initiate a request for a change of a grade with the instructor within fifteen (15) instructional days three weeks of the first day of the semester immediately following the semester in which the grade was awarded. For Spring Semester courses, the request may be made within fifteen (15) instructional days three weeks of the start of Fall Semester, if the student is not enrolled for a summer term but is enrolled in the Fall Semester. An appeal is deemed formally initiated when the student presents the Grade Appeal Form to the instructor. The instructor must date and initial the form at that point. Within five (5) instructional days, the instructor shall inform the student of his/her decision, record the steps
taken to resolve the appeal and the decision on the Grade Appeal Form, and date and sign the Form.

b. The student must consult (1) the instructor, (2) the department chairman, and (3) the dean or a designated college committee, proceeding from one level to the next only after an unsatisfactory decision resolution of the conflict at that level. In the event that the instructor is also the department head or dean, he or she need only be consulted in the capacity of instructor. The student shall have five (5) instructional days following an unsatisfactory outcome of the appeal to continue with the appeal at the next level. At each stage, the individual considering the appeal shall inform the student of his/her decision, record the steps taken to resolve the appeal and the decision of the Grade Appeals Form, and date and sign the Form.

c. The instructor must be informed of all proceedings in Section b above by the person in charge at the level.

d. Both the instructor and the student shall have the right at any time during the proceedings to call a meeting of all persons involved in submitting and considering the appeal and, optionally, to invite the Board to send an observer to that meeting.

e. In the event that the instructor is no longer employed by North Dakota State University, or is on leave from the University, the instructor may designate another faculty member from within the department to represent his/her interest in the grade appeal. If the instructor is not available to designate a substitute, the department head shall represent the absent faculty. If the department head cannot act impartially, a substitute shall be designated by the dean.

2. In the event of an unsatisfactory decision resolution of the conflict within the college, the student may submit a formal written appeal to the Board Chair. Such an appeal shall be made within fifteen (15) instructional days three weeks after conclusion of the college proceedings as stated above. At that time the Board may either hear or refuse the appeal, depending on its analysis of the questions raised by the written appeal. Prior to making the decision, the Board may require that additional information be provided in writing by either the instructor or the student. If the Board decides to hear the appeal, it shall provide the instructor and student with a copy of any written statement provided to the Board by the other party.

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

4. The Board Chair may designate a Board member as Appeal Chair or process the appeal personally. If the instructor is the Board Chair, the Board members shall designate an Appeal Chair. If the Appeal Chair is not the Board Chair, the Board Chair will forward the appeal document to the Appeal Chair within five (5) instructional days of receiving the appeal. The Appeal Chair should be from a college outside that of the instructor whose grade is being appealed.

5. The Appeal Chair will send a copy of the appeal document to the instructor within ten (10) instructional days. The instructor will have fifteen (15) instructional days to respond to the student’s appeal.

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

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

8. At this meeting, the Board will raise any questions unanswered by the appeal and instructor’s response. The Board will then vote to decide whether to hold a hearing based on the following criteria: the student presented evidence of prejudicial grading or raised questions of the possibility of prejudicial grading. A hearing will be scheduled within fifteen (15) instructional days if a simple majority of members vote to hold a hearing.

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

HEARING PROCEDURES (APPROVED MAY 12, 1986)


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

b. All hearings are normally open only to those people who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the student, instructor, and Board chair.

c. The student, the instructor, and the Board, each shall have the right to be assisted during Board procedures by an advisor or other counsel who may observe the proceedings and advise his/her party. Under no circumstances will this advisor/counsel be permitted to address the Board or witnesses.

2. Evidence. Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all reasonable and relevant information to be presented for the Board’s consideration. The Board shall allow an initial presentation by the student and then by the instructor involved, after which it may call such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.

a. Hearsay evidence is permitted; the members of the Board may consider such evidence and assign it any weight appropriate by each individual Board member.

b. An absolute right of cross-examination is not granted under this policy. The Board Chair will allow all relevant and reasonable questions to be placed to either party or their witnesses, but retains the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude by the Board Chair to respond to those questions fully.

c. Either party or their witnesses before the board will be permitted to elaborate on written documents previously submitted to the board in their oral presentations to the board.

d. Parties planning to bring exhibits to a hearing must generally provide copies of those exhibits to the other parties and the members of the board three (3) instructional days prior to the hearing to allow for a review of exhibits and the development of any pertinent questions. The Board Chair may permit deviations to this time restriction so long as the other party has sufficient time to prepare an adequate response.

e. The Board Chair shall have the right to exclude from the hearing and the record any unreliable, biased, or redundant evidence.

f. On questions requiring academic expertise, the Board shall rely heavily on the testimony of other members of the department involved, or throughout the NDSU academic community.

g. In reaching a decision the board shall consider only information produced at the hearing and will evaluate the information using the “more likely than not” standard of proof. The burden of proof shall be on the student to establish that his/her grade should be changed.

h. The voting members of the board will determine, by two-thirds majority vote, if the student’s appeal should be granted. A second vote shall then be held to determine
by simple majority vote what the student’s revised grade should be. All votes shall be conducted by secret ballot.

i. All hearings of the board will be recorded up to the point of the board’s deliberations necessary to render a decision. A copy of the recording shall be retained in the Office of the Provost and Vice President for Academic Affairs for a period not less than three (3) years. The board will allow controlled access to the tape for review or transcription by either the student or the instructor.

j. The Board shall allow an initial presentation by the student and then by the instructor involved, after which it may call such other witnesses as it deems necessary. In order to be able to accomplish this, the Board shall have the authority to compel the appearance or testimony of essential witnesses from the NDSU academic community.

3. Hearing outline.
   a. The Board Chair will call the meeting to order and will introduce the members of the board and their function within the University community.
   b. The Board Chair will describe the general outline of the hearing and read the evidentiary rules to the board. The Board Chair will read the following honesty statement.

   The University expects that all information presented in this hearing will be true and correct to the best of each person’s knowledge. If a student willfully provides false information, he/she will be in violation of NDSU’s Code of Student Behavior. As a result, he/she may be subject to disciplinary action. Dishonest behavior by any faculty or staff member will be reported to that person’s supervisor for any necessary disciplinary action.

   All potential witnesses will be advised of this honesty statement in advance.

   c. The Board Chair will excuse witnesses from the room at this point.
   d. The Board Chair will introduce the student who will present the appeal and any evidence.
   e. The Board Chair will introduce the instructor who will respond to the student’s appeal and present any additional evidence.
   f. The student will be allowed to present witnesses, who will be allowed to make statements and may be asked questions by the student, instructor, and/or members of the Board. Questions by both parties may be directed to the Board Chair, who will then determine if the question is relevant to the proceeding, ask if the respondent understands the question, and request a response. At the chair’s discretion, questions may be placed directly between parties. Permission to address parties may be withdrawn by the Board Chair at any time.
   g. The instructor will be allowed to present witnesses, who will be allowed to make a statement and may be asked questions by the student, instructor and/or members of the board. Questions by both parties may be directed to the chair, who will then determine if the question is relevant to the proceeding, ask if the respondent
understands the question, and request a response. At the chair’s discretion, questions
may be placed directly between parties. Permission to address parties may be
withdrawn by the Board Chair at any time.
h. The board may compel the attendance of any essential witnesses from the NDSU
academic community to present testimony. Such witnesses will be allowed to make a
statement and may be asked questions by the student, instructor, and/or members of
the board. Questions by both parties may be directed to the Board Chair, who will
then determine whether the question is relevant to the proceeding, ask whether the
respondent understands the question, and request a response. At the chair’s discretion,
questions may be placed directly between parties. Permission to address parties may
be withdrawn by the Board Chair at any time.
i. The student and instructor will be permitted to ask questions of each other.
j. Final questions will be permitted by the members of the board, who may question
either party and/or their witnesses.
k. The student shall have an opportunity to make a closing statement.
l. The instructor shall have an opportunity to make a closing statement.
m. Both parties and their witnesses will be dismissed for deliberations by the board
and recording will stop at this point. Only board members, the Board Chair, and the
board’s counsel/advisor (if designated) may be present during deliberation.
n. The Board Chair will send a written notice of the board’s findings to the student,
instructor, department head, and dean within ten (10) instructional days of the hearing.
If the board votes to change the student’s grade, notice shall also be sent to the
University Registrar regarding the grade change. The written notice shall include an
explanation of the board’s rationale in making its decision and a signed copy of the
Grade Appeal Form attesting to the board’s decision.

4. The board may not release any information about its investigation to anyone but the
parties directly involved.

4. Both the student and the instructor shall have the right to be present during the
presentation of any testimony before the Board and to address questions to any person
presenting such testimony.

5. The student, the instructor, and the Board, each shall have the right to be assisted
during Board procedures by an advisor or other counsel who may observe the
proceedings, advise their party, and, with the consent of the Board chairperson,
question witnesses, present arguments, and summarize evidence.

6. The Board chairperson shall have the right to exclude from the hearing and the record
any unreliable, prejudiced, or redundant evidence.

7. Board hearings shall be closed to all but the parties directly involved except where both
the student and instructor request an open meeting.

8. In addition to keeping minutes of its proceedings, the Board will provide for the tape
recording of all testimony presented to the Board and will allow controlled access to
the tape for review or transcription by either the student or the instructor.

9. The Board may not release any information about its investigation to anyone but the
parties directly involved.

10. The burden of proof shall be on the student.
11. The Board's final decision in any particular case must be based solely upon testimony and other evidence given to the Board in that case.

12. A two-thirds vote by secret ballot of the Board, i.e., four of the six voting members of the hearing panel, shall be required to uphold the student's appeal and approve a change in grade.

**APPEAL**

Either the student or the instructor may request within **fifteen (15) instructional thirty days** of a hearing panel decision, that the full Board hear an appeal from the decision, citing the error(s) by the hearing panel that would justify a new hearing. **The Board shall meet to consider such a request, but no voting member of the hearing panel shall be eligible to vote on granting a new hearing. Instead, alternate members shall replace those Board members who served on the hearing panel.** If a majority of the full Board decided votes to accept the appeal, it shall proceed to hold a hearing in accordance with the hearing procedures above, again using alternate members in place of those who served on the hearing panel. The Board **Chair chairperson** shall serve as a non-voting moderator at the appeal hearing, and a two-thirds vote by secret ballot of the full Board, i.e., seven of its ten voting members, shall be required to uphold the student's appeal and approve a change in grade. **A separate simple majority vote shall determine what the student’s new grade shall be.**

**INTERPRETATION**

No provision in this statement of procedures shall be construed to deny or disparage the full rights of either the student or the instructor as a citizen under the Constitution and laws of the United States.

**HISTORY:** May 15, 1972; Amended May 1986; April 1992; April 2000; April 2001; March 2002.
University Senate Resolution 1 (January 23, 2006):
Pertaining to Equity Funding at NDSU

Whereas, North Dakota State University has experienced the inequitable distribution of state funds to institutions of higher education, and

Whereas, representatives of the faculty, staff, students, and administration of NDSU have been privy to the deliberations of the North Dakota State Board of Higher Education on this matter; therefore be it

Resolved, that the University Senate of North Dakota State University extends its sincere appreciation to the Board for its attention to issues of equity, and its award of $900,000 in equity funding to NDSU; and

Resolved, that the NDSU University Senate encourages the State Board of Higher Education to continue working through the equity problem, in conjunction with the North Dakota State Legislature, until fairness in funding is finally achieved.

University Senate Resolution 2 (January 23, 2006):
Pertaining to the Unique Needs of Institutions and Student Fees Associated with ConnectND

Whereas, North Dakota State University has suffered unduly from problems related to the implementation of the PeopleSoft/ConnectND system, and

Whereas, representatives of the faculty, staff, students, and administration of NDSU have been privy to the deliberations of the North Dakota State Board of Higher Education on this matter; therefore be it

Resolved, that the University Senate of North Dakota State University extends its sincere appreciation to the Board for its frank discussion of issues related to PeopleSoft/ConnectND, and for the Board's recognition of each institution's unique needs in relation to the implementation of the PeopleSoft/ConnectND system; and

Resolved, that the NDSU University Senate supports moving the control of the ConnectND fee from the NDUS Chancellor to the State Board of Higher Education, and setting a cap of no more than $6.75 per credit, up to 12 credits, per student, per semester, and

Resolved, that the NDSU University Senate encourages the State Board of Higher Education to continue working through problems related to PeopleSoft/ConnectND, and to address the unique needs of the state's research universities while implementing this system.
University Senate Resolution 3 (January 23, 2006):
Pertaining to Support for Dr. George Wallman’s Letter 
Regarding Problems Associated with ConnectND

Whereas, North Dakota State University has suffered unduly from problems related to the implementation of the PeopleSoft/ConnectND computer system, and

Whereas, our former Vice President for Student Affairs George H. Wallman has written an open letter which frankly discusses the difficulties that the PeopleSoft/ConnectND system has caused for our university, and

Whereas, the faculty, staff, students, and administration of NDSU are in agreement with the contents of Dr. Wallman's letter, therefore be it

Resolved, that the NDSU University Senate offers strong institutional support for Dr. Wallman's letter detailing the serious problems at NDSU which have resulted from the implementation of the PeopleSoft/ConnectND computer system.
I appreciated your effort to meet with me on Friday, November 18, and discuss my concerns. That gesture on your part has been accepted as an act of good faith. At the end of that meeting I asked if you would be willing to respond to me in writing regarding our conversation and that I would use your response with our staff to build hope that things were going to change in regard to their concerns about ConnectND. On December 2, 2005 you followed up our conversation with an email responding to the things we talked about. That too was appreciated, and I have been pondering a response to it.

Because my response takes this way beyond what we talked about, I am sharing it with others as well. It will therefore go to Board members and system office people. This is not to create a problem but to provide some insight into my views after these many years of experience at NDSU. I hope to create discussion about important issues.

After reading your email several times, I came to the conclusion that we are miles apart. Our paradigms are very different. Yours is one of systemness, mine is one of a research university. I see HECN and ConnectND as being a service unit, serving our needs. Your system approach sees NDSU as something to control and that we work for you.

I see no future for a System other than what individual universities and colleges bring to it themselves. A strong central control over individual universities and colleges limits rather than encourages each institution to be more than just a part of a system. A vanilla implementation forces sameness rather than building on unique characteristics honed over many decades by the values of the academy and our interactions with students and external groups. To carry this further the implementation process focused on the needs of the project staff not on institutional needs. It was difficult for the institution to be heard beyond the boundary of: **this has to be a vanilla implementation**. Sameness is another term for this and it is apparent that it caused a lot of problems and if not changed will continue to do so, ultimately having a negative impact on the individual universities and colleges.

There has been a pattern of comments over the years that our people didn’t want to change the way they were doing things, and that they liked the old system. I have never heard anything but a sense of optimism, hope and potential for the new system that made many people excited. However, that was tempered by the way the project was managed, beginning with the total lack of experience and insight of Maximus to the top down approach in decision-making made by the project staff.
December 30, 2005
Grant Crawford
Page 2

It is ironic to me that we have been told how important change is and that we should be thinking differently about the way we do our work. Yet the process you told me to use to bring about the changes that are important to NDSU is of a design that I would characterize as resisting change. It might be easier for me to propose a relocation of a graveyard than to work the process you described for ConnectND. Councils, interfunctional teams, and an executive committee insulate the project from change and force individual needs into a cumbersome arena of systemness pitting one institution against others.

When the Chancellor visited NDSU and spoke to the President’s Council he told us that NDSU and UND needs would be met and that things would not go forward without our support. I have not seen anything different in the governance structure you now have to reflect that. The process you told me to use does not take anything like that into consideration. Nor has the decision-making process been explained within your new governance structure. Is it by consensus, vote, by-laws etc? When you met with our Student Affairs Council for the system, and presented your plan to make decisions for major projects, there were many questions about that process including monetary cost; yet there was never any further follow-up after we ran out of time. A later reference to that meeting made it look like the plan was presented; there was discussion; and that it ended there; when, in fact, the questions and issues never got answered. Was that part of the decision process?

I understand your paradigm, but it makes it difficult for us to function. We are unlike most of the other universities and colleges except for UND. I do not say this to demean or put down others. It is simply a fact. While there might be things we share there are many things we do not share. The extent of grants and contracts would be one example. Another would be the volume we deal with in registration and records, financial aid and admissions.

I understand your desire for us to accept the fact that there has been a steep learning curve for your staff and ours, and that as a result of the uniqueness of this project, tension between us is inevitable. However, it is also possible that this project has been poorly managed from the start and that has contributed to poor communication and tension. The fact that staff from the project have been successful in the past working for HECN doesn’t necessarily mean that they had the right skills for this project. This project required both people and technical skills and it has been apparent from my time on the executive steering committee, when people were confiding in me about how they were being treated, and in my time with staff from our university, that people skills were lacking. Add to this the problems with Maximus and the management part of this left a lot to be desired. The grants and contracts issue is an example of how we were told many times that this was a functional piece to the software. It wasn’t until we were up against a time crunch that we find out it wasn’t functional. Was this something to simply blame on Maximus, or is it a reflection of the management of the project? It probably has been both.

The project is underfunded and as a result of this is understaffed. We have never thought otherwise and understand this as it affects us as well. We are in a similar situation and have had to use what few discretionary funds we have to add staff way beyond what we ever thought would be needed. Yes, we have added staff, but that has been so our basic business needs could be met and students served. Work-arounds and manual processes have contributed a great deal to our work load.
The issue about the enrollment formula is interesting. Here we are about two to three weeks from another reporting cycle, and nothing has happened. Nobody has contacted us, and we still know that the data is bad; we cannot figure it out without the formula. Give us some credit for being intelligent and capable of understanding the formula. Certainly there will be questions asked of your people, but you made such an important point in your email to me about database integrity. I cannot understand why, if this is so important to your people, you wouldn’t want to jump at the opportunity for us to work with you and get this cleaned up. Would a bank that couldn’t balance its books not place a priority on correcting that? I was promised the formula so many times that I wonder how long I should stand at the altar and wait. Is this a management problem or is there something else going on here that has to do with control? Will I be told it is a workload issue?

Originally, we were told that prospective students would enter an NDUS portal and be routed to wherever the appropriate courses were offered losing our identity as NDSU. When the institutions voiced extreme opposition to this we were told to not worry, that it wouldn’t happen that way. Over two years ago our President’s Cabinet was told the portal would be redesigned. This has not happened. In fact we now know that the portal is costing us prospective student interest. It is frustrating to use. Why would anyone want to frustrate a potential student? Why would an institution that has over 100 years of brand loyalty with children and grandchildren of alumni showing interest in us want a portal that says: PeopleSoft and then lists all the institutions of the system instead of our name, our colors etc? Is this a management issue? Or is it something else?

In another memo I referred to frustration as: potential that is unmet. We have now lost our most important ConnectND person at NDSU. His level of frustration over this project was a major factor. With his departure we lose the person who may have had the most experience of anyone in the System with PeopleSoft software, from a user’s perspective.

I retire from this world of ConnectND and the System feeling that the potential that was there is vanishing and to believe that things are going to get better or can be fixed is a bit like Don Quixote trying to take on a windmill. If there isn’t dramatic change in how this is being managed to the extent that an institution as complex and large in volume as ours isn’t given more influence over its business processes, then things will go from bad to worse. When I am told something will be done and it isn’t and this pattern goes on and on, then it is reasonable to wonder who is in charge. I do wonder about that but then it is easy to arrive at the cynical point of saying: of course the System is in charge and a Council, interfunctional team or Steering Committee is there so everyone’s voice is heard. Yet hearing is different from understanding and caring and doing something.

Here are my comments regarding the future.

- The management of this project has to change.
- The yoke of sameness or a vanilla approach has to give and bend to allow us to have more control over our destiny. I would expect UND feels the same. Another way of saying this is that we need to be allowed to control those things we determine to be vital to our interests such as: access to information, the correcting of errors by ourselves not through a bureaucratic process, making our own decision about who from our university should be able to have security access, and the interfacing of our other systems with PeopleSoft, Blackboard, Kronos, and Win-Star are all examples. The governance structure you currently have changes very little from before. It is too bureaucratic.
Poor communication has been a common complaint from the universities and colleges. I suggested that poor communication could also be a symptom of poor management. Perhaps this entire discussion has reached a point that our different paradigms resemble the differences between a unionist philosophy versus state’s rights. It is possible that the ConnectND project is but a symptom of a unionist approach or as I called it earlier: systemness. The governance is far too bureaucratic and system oriented. The potential for change is tempered with the yoke of sameness.

These issues go way beyond moving to the next stage for ConnectND, they are issues that confront the vitality of the universities and colleges and our ability to do our work and serve our constituents whether they are prospective students, enrolled students or agencies we answer to regarding fiscal management of grants and contracts.

c: President Chapman, NDSU
SBHE Members
Chancellor Potts
VC Hillman
VC Glatt
President Balch, Mayville State University


Reminder: Current senators may not serve as substitutes for other senators.

Previous Minutes

Minutes of the January 23, 2006, meeting were approved with unanimous consent.

General Announcements

A. President Chapman made the following announcements and acknowledgements:

- The consultant-evaluators from the Higher Learning Commission are on campus. The review process is ongoing.

- The Centers for Excellence program, which is sponsored by the legislature, includes $7 million (out of $20 million system-wide) earmarked for NDSU projects. This includes $3 million for a microelectronics center, $2 million for a polymeric materials center, and $2 million for agriculture and biofuels research.

- The Momentum campaign to raise $75 million is going well. $70 million already has been raised, and it is hoped that this level will hit $100 million. Many projects are to be funded at various levels, with some already in progress or completed. Alumni pride and contributions are growing, as was evidenced by the participation at a recent alumni event in Washington D.C. This support from alums and growing philanthropy are due, in part, to the move to Division I. President Chapman cited recent positive national press coverage of NDSU in USA Today and in the New York Times.
• ConnectND has been a very difficult process with talented people spending a lot of time on it.
• Current and upcoming capital projects on campus include: groundbreaking on the Wellness Center addition, the completion of the Incubator Building by October, and the Hazardous Materials Center (only state funded project). Funding for the Business building also is making progress.

B. J. Council, president of University Senate, announced his plans to share data on the faculty service project at the March meeting.

C. D. Cooley, parliamentarian, presented a brief tutorial on Quorums. At least 60% of the Senate’s membership (43 members) needs to be present for business to be considered legitimate and democratic. It is the duty of all members to make sure that quorum is maintained, and any member of the Senate can do a quorum call. (The tutorial is posted on the University Senate web site at http://www.ndsu.edu/ndsudeott/univ_senate/).

Committee Reports

A. Academic Affairs

R. Pieri, chair, presented for approval:

• Three course changes (Attachment 1). MOTION (Howatt/Reimnitz): to approve the curricular recommendations as posted. MOTION PASSED WITH UNANIMOUS CONSENT.

• New Policy on Cross-Listing of Courses (Attachment 2). MOTION (Knoepfle/Berry): to approve the new policy as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

B. General Education

M. Christoffers announced that guidelines for incorporating the new Vertical Writing requirement into undergraduate curricula were distributed with the annual call for curriculum revisions and updates. This requirement does not take effect until fall 2007, but departments are encouraged to begin considering this curriculum change now.
C. Policy Coordinating Committee

E. Berry presented the following:

- Policy changes for information:
  a. Section 361 - Emeritus Titles
     - Changes are being made to match Board Policy 430.2 language changes approved at December 15, 2006 SBHE meeting.
  b. Section 515 - Travel – Employees / Meal Allowances
     - Updates meal allowance rates

- Policy updates and a new policy for approval:
  a. Section 112 - Criminal Record Disclosure (Attachment 3)
     - Amend policy to add duty of current University employees to report criminal convictions (all felonies and misdemeanors involving violence or theft) to supervisor. All current employees will be required to sign the Criminal Record Disclosure Form.
     
     MOTION (Berry/Teigen): Discussion on the time frame within which to Disclose, and the need for a signed form after the policy is in place. MOTION CARRIED*.

  b. Section 134.1 - Workplace and Family/Dependent Responsibilities (Attachment 4)
     - New policy requested by NDSU Extension Service to address issues of children in the workplace. This version is intended to be a broader statement of the importance of balancing workplace and family/dependent responsibilities and provides guidelines for a range of those responsibilities. S. Holbrook answered questions related to this policy.
     
     MOTION (Berry/Gross): to approve the new policy as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

  c. Section 346 - Animal Welfare (Attachment 5)
     - Changes made to convey accurately the structure, responsibilities, and requirements of the Institutional Animal Care and Use Committee (IACUC). Sections were removed to align the policy with federal regulations and our internal ability to administer compliance oversight. Changes are intended to make the policy as clear and concise as possible so that the most important facts are readily accessible. P. Freeman of
IACUC answered questions. MOTION (Reimnitz/Little): to approve the policy as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

D. Council of College Faculties

T. Barnhart reported the following:

- CCF has proposed a motion to oppose the diversion of funds from the International Student Recruiting Program to other system needs.

- The 2006 Compensation Report has been presented to the State Board of Higher Education (SBHE). Requests include a percentage increase of 5.4% for salaries (3.4% for inflation and 2% for market maintenance); continued funding for the health plan at 100%; and increased contribution levels by the state and individuals for their TIAA CREF retirement plans (15% for 15 year employees).

E. Higher Learning Commission Site Visit

- Provost Schnell announced that the site visit is going well, and encouraged senators to speak openly and honestly to consultant evaluators about their accomplishments and concerns.

- Council thanked Robert Harrold and the self-study committee for their efforts on coordinating a successful self-study and site visit.

Unfinished Business

A. Bylaws Revision to Allow a Consent Agenda (Attachment 6)

Council presented the bylaws changes (Part VII, Section 10) that were motioned for approval at the January 2006 meeting. Discussion ensued on how openly objections would be voiced during or prior to meetings, and if it would allow adequate time for discussion on important issues. The Senate was reminded that anybody can request an item be removed from the consent agenda for discussion on the floor. Consent agendas would be posted in advance along with the rest of a meeting’s agenda. MOTION PASSED WITH A REQUIRED 2/3 MAJORITY VOTE*.
New Business

A. NDSU IT Committee System (Attachment 7)

Provost Schnell brought forward the proposed IT Governance structure for Senate input. The original proposal was reviewed and revised by a campus-wide committee. The IT Council, chaired by the CIO, will report to the President and his Cabinet. Five IT Advisory Groups (ITAG) will be formed. This report will be distributed widely on campus for review and feedback. Future endorsement by the Senate and other campus groups will be sought. Brief discussion followed regarding student membership on an ITAG, as well as Ag Advisory Council representation.

B. 151.1 Conflict of Interest Policy (Attachment 8)

- Provost Schnell presented a proposed conflict of interest policy for Senate input. While service activities are encouraged at NDSU, it is recognized that conflicts of interest and commitment can result. The policy will help clarify the university’s stance on such relationships, responsibility to NDSU, and preservation of professional integrity and ethics. A successful policy relies on disclosure of potential conflicts, followed by an analysis and review. The proposed policy outlines allowable activities (study sections, editorial boards, manuscript reviews, etc.); activities that are allowable with disclosure (talks, consulting services, honorariums, etc.); and activities that are not allowed (suggestions of university endorsement, inappropriate hiring of students; activities that are competitive with the university, etc.). Action will be requested by April or May.

Adjournment

Meeting adjourned at 4:50 p.m.

*Due to PRS malfunction, the voting record is not available. The outcome of the votes were noted and announced during the meeting, and are included in the minutes.
### Changes in Course Titles

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NDSU POLICY for CROSS LISTINGS OF COURSES

I) Definition: A cross-listed course is the same course catalogued under two or more prefixes.

II) Considerations for Cross-Listing:

A. A cross-listed course provides students with a choice of relevant prefixes under which to take a course.
B. It provides faculty an opportunity to collaborate across disciplinary lines, and it may benefit departments and programs through the sharing of resources.
C. Cross-listing should only be considered when two or more departments wish to collaborate on the offering of a course with significant cross-disciplinary content.
D. Cross listing should not be used as a tool for resolving differences or opposition between or among departments over their respective offerings or over similar courses.

III) Guidelines for Cross-Listed Courses:

A. Student Registration:

Students may only earn credit for the same course under one prefix. If the course is repeatable for credit, students may only retake the course under the same prefix as the previous attempt. Students may sign up under any prefix of a cross-listed course (except if it is being repeated for credit), but they may be advised according to academic program requirements (where applicable).

B. Bulletin/Catalog Listing:

1. Cross-listed courses and proposals must be identical in title, course number, prerequisites, description, outline, classification, units, grading practice, and number of times a course may be taken for credit.

2. Each 35-word description should end with: “Cross-listed with [prefix].” The complete bulletin description will be listed under only one prefix, that being that prefix under which the course was initially offered or under the department primarily responsible for the course. Reference to the primary prefix will be made in the bulletin descriptions of all other cross-listed prefixes of the same course. With new cross-listed course proposals, if an originating or primary department is not identified, the description will be listed under the prefix listed first on the course proposal form.
C. Scheduling Considerations:

When two or more departments/programs agree to cross-list a course, they shall:

1. Contact each other every semester to determine if either department wishes to offer the course in the next semester’s schedule.

2. Agree upon the time, day, and location (if applicable) that the cross-listed course is to be offered, and determine the number of seats allotted to each department (prefix). Each department should submit the course under their prefix, according to the agreed upon logistics, along with the rest of their classes to be scheduled in a given term. Each department’s schedule will reflect any offering of the course.

3. Have the option of staffing the course in alternating sequence. They shall choose their own instructor for the course when it is their turn to teach it unless other prior arrangements are agreed upon by both departments.

D. Course Updates/Proposals/Changes:

1. Agree upon any proposed changes in the course title, course number, prerequisites, description, level, credits, or number of times it may be taken. A joint Course Proposal and Change Form, with signatures from all impacted departments, is to be submitted to the respective college curriculum committee(s) and to Academic Affairs (and Graduate Council if applicable).

2. Notify all other participating departments if contemplating withdrawing from an approved cross-listing arrangement, and before submitting a course deletion to Academic Affairs.

E. FTE Reporting:

All FTEs are credited to the department/program funding the instructor. If a course is team-taught, the participating departments must determine how the FTEs are to be assigned or split.

2/1/2006-Academic Affairs Committee, NDSU
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   **Section**
   112: Pre-Employment and Current Employee Criminal Record Disclosure

   Amend policy to add duty of current University employees to report criminal convictions (all felonies and misdemeanors involving violence or theft) to supervisor. All current employees will be required to sign the Criminal Record Disclosure Form.

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

   Policy Coordination Committee - 6/15/05, 7/21/05, 9/15/05, 11/17/05, 12/15/05
   Staff Senate – 8/19/05, 12/14/05
   University Senate – 8/19/05, 12/12/05
   Student Senate – 8/19/05
   President’s Council – 8/19/05, 11/22/05

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

   General Counsel

SECTION 112: PRE-EMPLOYMENT AND CURRENT EMPLOYEE CRIMINAL RECORD DISCLOSURE

**SOURCE: NDSU President**

1. All applicants for employment at NDSU, whether full-time or part-time, including student employment, must sign the [criminal record disclosure form](#) prior to being hired. Any offer is contingent on return and review of the signed form and verification. The hiring unit is responsible for obtaining the signed form prior to the final offer.

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

3. The form shall be kept in the employee's official personnel file (http://www.ndsu.nodak.edu/policy/718.htm) (or, for individuals not hired, with the applicant's file).

4. Supervisors who have a situation under this policy should consult, prior to making a final hiring determination, with appropriate personnel, for example, Equal Opportunity Director for Equity and Diversity (for non broadbanded positions), Human Resources Director (for broadbanded positions), General Counsel, or their Department Chair or Dean.

5.0 Current Employees:

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

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

5.3 All current employees will be required to sign a Criminal Record Disclosure Form. This one time event will be accomplished as part of the next Annual Notice of Policies notice after this Policy goes into effect.

Effective Date: July 1, 2002
1. **Effect of policy addition or change** (explain the important changes in the policy or effect of this policy):

   **Section 134.1 - Workplace and Family/Dependent Responsibilities**

   This is a new policy originally requested by the NDSU Extension Service to cover issues of children in the workplace. This version, however, is intended to be a broader statement of the importance of balancing workplace and family/dependent responsibilities and provides guidelines for a range of those responsibilities.

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

   - Policy Committee - 1/27/06
   - President’s Council –
   - Staff Senate –
   - University Senate -

3. **This policy revision was originated by (indicate individual, office or committee/organization):**

   Equity and Diversity and the General Counsel in response to a request (see above).

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**SECTION 134.1 – Workplace and Family/Dependent Responsibilities**

1. North Dakota State University respects the importance of balancing work and family/dependent responsibilities and recognizes that there are times when these work responsibilities and family/dependent responsibilities will conflict with each other. Various options for employees to care for their dependents in the form of paid and unpaid leave are provided in the NDSU policies (see sections 130, Annual Leave; 135, Family Medical Leave-Uncompensated; 143, Sick/Dependent Leave; and 149, Leave Without Pay) see [http://www.ndsu.edu/policy/](http://www.ndsu.edu/policy/).

2. Occasionally situations arise that are not specifically covered in these policies. When such situations occur, NDSU is committed to addressing them with sensitivity and fairness to all concerned and will consider an employee’s request to accommodate the situation, based on the following factors:

   - A. Workplace health, safety, and institutional liability issues related to the request;
   - B. Potential impact on the employee’s work accomplishment and performance;
   - C. The employee’s performance history;
   - D. Effect on the efficiency and productivity of others in the immediate workplace environment and/or unit;
   - E. Length of time involved in the employee’s request;
   - F. Concerns of relevant decision-makers and clientele (for example, county commissioners for county Extension staff).

   **NOTE:** In some cases, the employee may be required to sign a liability waiver.

3. Prior to a decision regarding the employee’s request, the employee’s immediate supervisor will discuss the situation and the request with his/her supervisor and consult with relevant campus staff such as those in the Office of Human
Resources/Payroll to assure that all reasonable options for a mutually satisfactory way to address the employee’s situation are explored.

4. With regard to infants and young children, parents/guardians are responsible for arranging regular, appropriate childcare. In the event of an emergency, an employee may need to bring a child(ren) to the workplace for a short period; in these circumstances the employee is expected to
   ✓ inform his/her supervisor;
   ✓ supervise the child(ren) at all times;
   ✓ assure that disruption to co-workers and clientele is minimal; and
   ✓ prohibit children from entering hazardous areas.

A child who has an illness that prevents him/her from being accepted by a regular child care provider or from attending school, particularly a child with an infectious illness, should not be brought to the workplace under any circumstances.

The supervisor retains the right to instruct the employee to remove a child from the workplace if these expectations and are not met and the factors outlined in #2 above are satisfactorily addressed.

HISTORY: January 2006
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   Section 346: Animal Welfare

   Changes were made to convey accurately the structure, responsibilities, and requirements of the Institutional Animal Care and Use Committee. Sections were removed to align the policy with federal regulations and our internal ability to administer compliance oversight. We have made housekeeping changes to be as clear and concise as possible so that the most important facts are readily accessible.

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

   Policy Committee: 1/27/06
   University Senate:
   Staff Senate:
   Student Senate/Executive Board:
   President’s Council:

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

   NDSU Institutional Animal Care and Use Committee
   Approved 17 November 2005

   Contacts: Jayma Moore, IACUC chair, 231-8435
             Pierre Freeman, IACUC Director, 231-8114.

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SECTION 346: ANIMAL WELFARE

SOURCE: NDSU President

North Dakota State University is committed to complying with all applicable laws and regulations regarding the humane care and use of live vertebrate animals utilized for research, teaching, testing, and/or exhibition purposes conducted at NDSU or by NDSU personnel.

The University's animal care and use policies are administered by the Institutional Official, who is appointed by the NDSU President. An Institutional Animal Care and Use Committee (IACUC) has been appointed to oversee the University's animal care program. The IACUC is
responsible for review and approval of protocols concerning animals, inspection of animal facilities, and reporting to appropriate government agencies.

Examples of activities that require prior IACUC approval include but are not limited to the following:

1. activities utilizing live vertebrate animals owned by NDSU or housed at NDSU facilities, including off-campus facilities such as the Research Extension Centers.
2. activities involving live vertebrate animals that are conducted by faculty, students, staff, or other representatives of NDSU, regardless of funding source.

Specific guidance regarding animal-related activities and the need for IACUC approval can be obtained from the IACUC office.

Principal Investigators and other personnel working on animal-related activities are required to complete IACUC training before submitting a new protocol for review by the IACUC.

Any individual may report a concern involving the care and use of animals for which North Dakota State University is responsible. Any IACUC official or member will receive animal-welfare-related concerns, questions, or complaints, which then will be reviewed by the committee. Reports received by other University personnel must be forwarded immediately to the IACUC office. The individual presenting the concern is assured freedom from recrimination, coercion, or reprisal. After committee review, responsible officials will take necessary corrective actions and report committee findings to appropriate regulatory agencies if warranted.

Detailed policies and procedures governing the care and use of vertebrate animals are described in the handbook *The Care and Use of Vertebrate Animals at NDSU*. They also may be viewed electronically at [http://www.ndsu.nodak.edu/research/compliance/iacuc/](http://www.ndsu.nodak.edu/research/compliance/iacuc/) and are available in hardcopy from the IACUC office.

Consent Agendas

Part VII

Section 10. Agenda
The agenda for each regular meeting shall be prepared by the secretary of the Senate and distributed to faculty, staff representatives, and student members of the Senate, as well as the student newspaper and the University Archives in the North Dakota State University Libraries one week before each meeting. Items may be placed on the agenda by any member of the Senate. The consent agenda shall consist of any routine or non-controversial matters the Executive Committee or Senate President (presiding officer) adds to the consent agenda. When matters on the consent agenda are called up, they may be considered in gross or without debate or amendment. If one or more senators object to an item on the consent agenda, then it will be removed from the consent agenda to be restored to the ordinary process by which it is placed in line of consideration on the regular agenda. The order of business for a Senate meeting shall be as follows:

1. Approval of the minutes of the previous meeting
2. Announcements
3. Consent Agenda
4. Committee reports
5. Unfinished business
6. New business
7. Adjournment
To: University Senate Executive Committee

From: Tom Moberg; Vice Provost & CIO

Date: February 6, 2006

Subject: Recommendations for University Senate re IT Committees

On September 6, 2005, Provost/VPAA Craig Schnell appointed a Review Team of campus representatives to examine the University’s present IT-related committee structure and to make recommendations for improvement. The Review Team members were Holly Bastow-Shoop, Kevin Brooks, Pam Drayson, Dan Ewert, Jeff Gerst, Jessie Johnson, James Kennedy, Brian Miller, Prakash Mathew, Tom Moberg (Chair), Teresa Oe, David Wittrock, and Kristi Wold-McCormick.

The Review Team recommended the creation of a new NDSU IT committee system that would be focused on IT planning, policy development, and program review, and would ensure broad institutional representation and communication related to IT decision making. The Review Team also recommended that some existing committees be modified to align them effectively with the new committee system and that several committees be dissolved, with the duties of those groups reassigned to new committees. Implementation of the recommendations in the Report will significantly improve the quality of NDSU’s IT environment and help the University achieve its Next Level goals.

Following is a summary of the recommendations from the Report that require action by the University Senate:

1. Appoint a representative from the University Senate Executive Committee to join several members of the Review Team on a temporary advisory group that will work with the CIO in implementing the new committee system.

2. Appoint one member of the IT Advisory Group for Teaching and Learning when that committee is formed.

3. Appoint one member of the IT Advisory Group for Research Issues when that committee is formed.

4. Appoint one member of the IT Advisory Group for Information Systems when that committee is formed.
5. Appoint one member of the IT Advisory Group for Standards & Infrastructure when that committee is formed.

6. Dissolve the Committee on IT Planning & Goals (CITPG) and assist in reassigning the duties of the CITPG to various new committees.

7. Dissolve the Technology Enhanced Learning Committee (TELC) and assist in reassigning the duties of the TELC to various new committees.

The attached charts show the components of the recommended committee system, including the member appointment, communication, and liaison links. The first chart provides an overview of the committees and the other five charts show the specific member composition for each of the IT Advisory Groups recommended by the Review Team. Members of the IT Advisory Groups would be appointed by the University Senate, the Staff Senate, the Student Senate, individual Colleges, the Graduate School, administrative offices, and various other campus groups. Appointees would be expected to act as liaisons with the entities that appoint them.

The full report from the Review Team is available on-line at http://its.ndsu.nodak.edu/documents/ITGovernanceReviewTeamReport.pdf. Please feel free to contact me if you have any questions about any of this material. Thank you for your assistance.
Recommended NDSU IT Committee System
Teaching & Learning IT Advisory Group Membership

Edit date: February 5, 2006

University Senate
Student Senate
Colleges
Graduate School
Library
ITS
At-large Appointees

1 Faculty
2 UG Students
1 Faculty per College
2 Graduate Students
1 Librarian
2 Staff
3 Staff, Faculty, or Students

Teaching & Learning IT Advisory Group
Members:
15 regular
4 ex officio

IT Council
Members:
Vice President
Academic Dean
Academic Chair
Administrative Director
Dean of Libraries
ITAG Chairs
CIO

ITAG Chair

President and Cabinet

SYMBOL KEY
Recommended Committee
Member Appointment, Communication, and Liaison Links
Recommended NDSU IT Committee System
Research Issues IT Advisory Group Membership
Edit date: February 5, 2006

**Recommended Committee**

**University Senate**
- 1 Faculty

**Colleges**
- 1 Faculty per College
- 2 Graduate Students

**Graduate School**
- 2 Staff

**ITS**
- 3 Faculty or Staff

**CHPC Council**
- 2 Staff, Faculty, or Students

**At-large Appointees**
- 1 Faculty

**President and Cabinet**

**IT Council**
- Members:
  - Vice President
  - Academic Dean
  - Academic Chair
  - Administrative Director
  - Dean of Libraries
  - ITAG Chairs
  - CIO

**Research Issues IT Advisory Group**
- Members:
  - 14 regular
  - 4 ex officio

**SYMBOL KEY**
- Recommended Committee
- Member Appointment, Communication, and Liaison Links
Recommended NDSU IT Committee System
Standards & Infrastructure IT Advisory Group Membership

Edit date: February 5, 2006

University Senate
1 Faculty
Staff Senate
2 Staff
Student Senate
1 UG Student
Colleges
1 Faculty per College
Graduate School
1 Graduate Student
ITS
3 Staff
At-large Appointees

Standards & Infrastructure IT Advisory Group
Members:
14 regular
4 ex officio

IT Council
Members:
- Vice President
- Academic Dean
- Academic Chair
- Administrative Director
- Dean of Libraries
- ITAG Chairs
- CIO

President and Cabinet

SYMBOl KEY
- Recommended Committee
- Member Appointment, Communication, and Liaison Links
Recommended NDSU IT Committee System

Student Issues IT Advisory Group Membership

Edit date: February 5, 2006

Symbol Key:
- Orange: Recommended Committee
- Dashed Arrows: Member Appointment, Communication, and Liaison Links

Student Senate
- 2 UG Students

Graduate School
- 2 Graduate Students
- 2 Students

Residence Life
- 2 Students

Distance Ed.
- 2 Students

ITS
- 1 Staff
- 1 Associate Provost
- 2 Students

Tech Fee Advisory Comm.
- 1 Staff

Student Technology Services
- 2 Students

At-large Appointees
- 2 Staff, Faculty, or Students

IT Council
- Members:
  - Vice President
  - Academic Dean
  - Academic Chair
  - Administrative Director
  - Dean of Libraries
  - ITAG Chairs
  - CIO

Student Issues IT Advisory Group
- Members:
  - 10 regular
  - 4 ex officio
SECTION 151.1: EXTERNAL ACTIVITIES AND CONFLICTS OF INTEREST (DRAFT)

SOURCE: SBHE Policy Manual, Section 611.4
Office of Provost and Vice President for Academic Affairs

(Note: This draft policy is being circulated to University Senate for Input. The content of the current NDSU Policy 151: Conflict of Interest, overlaps with some of the following content, and would need revision for compatibility and complementarity.)

I. PHILOSOPHY AND NEED

A. Beyond the traditional academic responsibilities of teaching, research, and service, and in response to the rapidly changing external realities, universities and their employees are increasingly involved in external activities including economic development, technology transfer, consulting, and other types of public service.

B. North Dakota State University recognizes the need, and actively encourages its employees, to participate in such external activities as an important component of its land-grant mission. NDSU also recognizes that this may create conflicts of interest and/or commitment with traditional academic responsibilities. Engagement in external activities is subject to the principles that:

1. Full-time employees have as their primary responsibility their professional obligation to NDSU.

2. Employee conduct must conform to the highest standards of professional integrity and ethics, thereby avoiding even the appearance of impropriety.

II. PRIMARY DEFINITIONS

[Note: other definitions have been moved to Section XII, Definitions]

A. A Conflict of Interest is said to occur or exist when:

1. An NDSU employee is involved in an activity, commitment or interest that may adversely affect, compromise, or otherwise be incompatible with the obligations that the employee has to NDSU; or,

2. The University is influenced in such a way as to lead to improper financial gain for either the University, its employee, the employee’s immediate family (spouse, parents, siblings, children), for others; or,
3. The employee’s involvement in, and/or commitment to, external activities interferes with the employee’s primary obligations to his or her students, colleagues, and the institutional mission.

**B. Conflicts of Commitment** primarily relate to an employee’s distribution of effort between obligations to an academic appointment and commitments to external activities. Conflicts of commitment may also occur or exist when professionally related external activities of the employee are so substantial or demanding of the employee's time and attention as to interfere or appear to interfere with the employee’s responsibilities to NDSU, to the unit to which the individual is assigned, or to the students.

**III. GUIDING PRINCIPLES AND MAJOR CONSIDERATIONS: INSTITUTIONAL**

**A. Institutional Approval.** Institutional approval must be obtained prior to engaging in any external activity in which there is a potential or actual conflict. Full-time NDSU employees owe their primary loyalty and professional commitment to the institution during the terms of their employment. They must not neglect their university responsibilities to seek financial interest or advantage for themselves, their immediate families, their close associates, or a business over which they or their families have a direct or indirect financial interest. Any commitment of time and effort to serve another institution, agency, or industrial organization other than NDSU, therefore, should be made only after satisfying an employee’s primary commitment to NDSU.

1. Where potential for conflict exists, it must be disclosed, analyzed, and dealt with immediately and directly. Although not all conflicts can be prevented or avoided, failure to disclose, properly supervise, or manage an identified conflict will constitute a violation.

2. Conflicts of interest may be categorized as

   a. Clearly allowable.

   b. Allowable after disclosure, review, approval and oversight.

   c. Not allowable or prohibited.

**B. Institutional Encouragement.** When a relationship enhances the professional skills of NDSU employees or constitutes public service, interactions involving service, consulting, and research activities between institutional employees and external entities for reasonable periods of time and for personal
remuneration are acceptable and encouraged. *(The reasonableness of time allowable will vary among individuals, discipline, and activity, and will be affected by specific departmental or unit needs).*

C. **Institutional Benefit.** Participation by NDSU employees in activities that serve the interests of NDSU is encouraged, where such participation affords experience and exposure to the individual, and accrues standing to NDSU. Donation of professional services to external organizations and professional societies, and serving as officers of such societies for reasonable periods of time without substantial allocation of NDSU resources, is encouraged.

D. **Institutional Resources.** NDSU permits the use of its facilities, space, equipment, or support staff for external activities. If a substantial allocation of NDSU resources is required to support an external activity, a prior written financial arrangement must be agreed upon that adequately compensates NDSU for their use.

E. **Confidentiality of Disclosure Information.** NDSU will assure the confidentiality of individual disclosure information to the extent possible under applicable state and federal requirements and/or the North Dakota Open Records Act. Whenever requests for such information are requested by any external entity, the individual will be notified.

IV. GUIDING PRINCIPLES AND MAJOR CONSIDERATIONS: EMPLOYEE

A. **Employee Disclosure.** As a public institution, NDSU must possess sufficient information and control to discharge its obligations of public accountability and responsibility. NDSU employees have the responsibility to report promptly and in sufficient detail, all activities that may involve actual or potential conflicts. Regular, timely, and full disclosure is a key element in this policy and is necessary to identify, resolve, or manage any actual or potential conflict of interest situation. The requirement of disclosure cannot be waived by any university employee.

B. **Employee Obligations.** When arranging relationships with external agencies, NDSU employees are expected to make known their NDSU obligations. Where appropriate, they should provide copies of relevant NDSU policies to their contracted entities and inform the external agencies that their work is contracted in their individual capacity and does not in any way represent NDSU. Listing of an employee’s institutional affiliation in public or commercial documents, especially those that draw attention to the employee’s availability for compensatory work, is therefore considered violation of this policy.
C. **Academic Freedom.** NDSU employees are free to choose the subject matter and strategies of their individual teaching and research activities on the basis of scientific or scholarly criteria, insofar as they are unencumbered by external commitments.

D. **Freedom to Publish.** Subject to limited delays to permit filing of document(s) to protect intellectual property or findings, as in a patent application, NDSU will vigorously ensure its employees’ free and open dissemination of information including the right to publish. *(See also NDSU Policy regarding Classified Research, Policy 344)*

E. **Accountability for Review.** NDSU expects that responsible individuals will exercise their duty and responsibility, at all levels of review and action, to evaluate carefully all potential conflict situations disclosed or known to them before acting to approve or disapprove the same.

F. **Time Commitment.** NDSU will allow an average of up to one day per week (40 days for academic year and 52 days for calendar year appointments) within the contract period for acceptable and approved external professional activities (Policy 152). This released time, subject to unit needs, is not an automatic entitlement but is approved at the administrative head’s discretion. Such released time is not available for:

1. Activities or businesses that are purely personal in nature.
2. Activities that are neither related nor contribute to the advancement of the employee’s professional skills.
3. Activities, which do not provide an opportunity for professional growth.

V. **SPECIFIC RESPONSIBILITIES**

A. **NDSU employees** are required and expected to take the initiative to report promptly and in detail to the administrative head of their units, for prior written approval, all activities or situations which may involve, or appear to involve, a conflict of commitment, a conflict of interest, or an incompatible obligation or commitment, and to respond to inquiries from the administrative head in connection with any such report. The mere existence of a conflict, real or potential, however, will not necessarily preclude a particular activity.

B. **Administrative heads** of units have the duty and responsibility to evaluate carefully all potential conflict situations reported or known to them before acting to approve or disapprove the same. As a public institution, NDSU is expected to
possess sufficient information and control to discharge its obligations of public accountability.

1. In a specific conflict situation, it may be appropriate for the administrative head to inquire into a number of factors, including

   a. the extent of time commitment to external entities and income derived by academic staff member from consulting activities;
   b. the extent of financial or other interest the academic staff member or staff member's family have in external entities;
   c. the extent to which such financial or other interests may influence or affect the entities’ general policy or specific decision.

2. Careful scrutiny is called for when

   a. the employee's acquisition of financial interests or assumptions of external executive or administrative responsibilities appear to be in conflict with the employee's duties and obligations to NDSU;

   b. activities may influence research or business decisions in ways that could lead to the employee's direct or indirect personal financial gain, or give improper advantage to the employee's immediate family, associates, or others.

   c. In such circumstances, if the proposed activities are to be approved, appropriate control mechanisms must be established and reduced to writing, and be subject to continuous review and monitoring. Such monitoring may include, among other requirements appropriate to the circumstances, higher administrative level review of expenditures (including those for travel), periodic detailed reviews of programmatic objectives and progress, removal of the affected employee from decision making authority, or granting a leave of absence without pay when the external commitment is inappropriate to the employee’s University duties or responsibilities.

   Provision might be made for consulting authorization request approval process, whereby if the duration of the activity is longer than one year, or is indefinite, indeterminate, occasional or ongoing for a period longer than one year, for the authorization to be renewed annually through electronic correspondence, provided there are no material changes to the original activity. Substantial changes to the activity would require formal reauthorization.
3. External activities must be approved in advance through established review procedures to ensure that the proposed research conforms to the academic, administrative, fiscal, legal, space utilization, and other policies of NDSU, and that it does not conflict with the rights of the other scholars at NDSU or with other University commitments. Research agreements with external sponsors must maintain basic academic values and must not promote a secrecy that will harm the development of knowledge, impair the educational experience of students or postdoctoral fellows, diminish the role of NDSU as a credible and impartial resource, interfere with the choice by employees of the scientific or scholarly subjects they pursue, or divert an employee’s energies or NDSU resources from primary educational and research missions.

4. Those situations are to be avoided or remedied in which academic staff members, through use of their University positions or by their conduct, may be tempted to disregard the interests of the University and its students, or to dilute or divert their attention from their NDSU responsibilities in order to seek direct or indirect advantage for themselves, their families, or close associates, or exert sufficient influence over a business to be able to affect its general policy or specific decision.

VI. DISCLOSURE

A. The policy on disclosure is the key mechanism to identify potential conflict(s) of interest and commitment for further evaluation, oversight, and remediation. For situations subject to review and approval, an NDSU employee shall submit a request in writing, explaining all pertinent circumstances, to the administrative head of the unit in which he or she is employed. Items that need consideration in the written request may include:

1. Listing any consulting relationship, managerial role, or a significant financial interest in a company that does business with the University;

2. Listing any consulting relationship, managerial role, or a significant financial interest in a company that is involved with or sponsors activities related to the field of research and or service;

3. Listing any non-University income-producing activities that involve NDSU students or other staff.
B. If an actual or potential conflict of interest is not believed to exist, the reviewing authority will complete the Administrative Review Form. One copy each will be returned to the individual submitting the form, forwarded to the respective Vice President, and retained on file with the Administrative Head. The action requested may be approved, provided it is in compliance with all other University policies and procedures.

C. If an actual or potential conflict of interest is determined to exist, there are three options. These include

1. Permitting requested action or activity
2. Attaching conditions to the approval
3. Prohibiting the activity.

D. If the administrative head believes that an actual or potential conflict of interest situation exists, he or she shall refer the matter to the appropriate Vice President. The Vice President shall exercise his or her authority to approve, disapprove, or approve with conditions any actual or potential conflict of interest, or refer the matter to the Conflict of Interest Advisory Committee (CIAC) for recommendation. Where special arrangements to accommodate an actual or potential conflict of interest are desired, they shall be reduced to writing, on the basis of which the Vice President may appoint an individual to monitor the approved arrangement.

E. The Vice President shall indicate his or her decision on the Administrative Review Form, a copy each of which will be forwarded to the individual submitting the request, the initial reviewing authority, and filed with the office of the Vice President.

VII. CONFLICTS INVOLVING ADMINISTRATORS

In the case of potential conflicts of interest involving administrators at the level of dean, director, or higher, initial disclosure shall be made with the appropriate Vice President, who shall then make a recommendation consistent with policy, and who may exercise the option to make the final decision. Disclosures for Vice Presidents shall be filed with the President, who shall have the final approval authority, but who may also consult with CIAC for its recommendation.

VIII. UNIVERSITY REVIEW OF SPONSORED RESEARCH

Any sponsored program agreement between the University and external sponsor(s) must be authorized in advance through established University review procedures to ensure conformity of the proposed activity to the academic, administrative, fiscal, space
utilization, and other policies of the University. In addition, such an agreement must not conflict with the rights of other University scholars, with other University commitments, or with the basic academic values of the institution.

IX. APPEALS
A Conflict of Interest Advisory Committee (CIAC) shall be established, comprising five members recommended by the University Senate and appointed by the President. The Committee shall serve as an advisory body to the University administration on conflict of interest issues, and may recommend members to the University Senate Presiding Officer to review conflict of interest cases.

[A section on Appeals Procedures will be added.]

X. VIOLATIONS
Violation of this policy shall be subject to disciplinary procedures, including sanctions up to and including suspension and dismissal, provided for in other University policies and procedures. Additionally, any NDSU employee who has received financial benefit from transactions in violation of this policy shall be liable for repayment to the appropriate entity all financial benefits resulting from such violation. Compliance with this policy may also be enforced through the exercise of administrative oversight of funded research and management of NDSU facilities and other property. Such enforcement measures shall include, but not be limited to:

A. freezing research funds or accounts;
B. rescinding contracts entered in violation of this policy or state law; or,
C. bringing legal action for restitution to the appropriate entity(ies) the amount of financial benefit received by the NDSU employee as a result of the employee’s violation of this policy.

XI. APPLICABILITY
This policy applies at all times to all full and part-time NDSU employees with regard to use of university name, property, and equipment. (Exceptions to areas of applicability need to be negotiated with the administrative head, other appropriate Vice Presidents, and the Provost and VPAA at the time of hire.)

XII. EXAMPLES OF CONFLICT OF INTEREST SITUATIONS
Conflict of Interest situations are not always easy to identify. This section categorizes and identifies activities that have differing potentials for presenting a risk. The list below is merely representative examples of possible conflict situations that may be of some concern and are not meant to be exhaustive. Each situation, therefore, calls for a
constructive analysis of the potential benefits and risks. The administrative head or the assigned reviewer(s) must decide if the benefit is worth the risk.

A. In general, potential conflict situations fall into five areas:

1. adverse effects on educational programs
2. bias/subversion of research agendas
3. unreasonable impairment of the flow of information/knowledge
4. misuse of NDSU resources and facilities for private gain, possibly to the detriment of the public good.
5. theft and or misuse of NDSU intellectual property

B. The potential conflict situations/activities may also be categorized in terms of

1. clearly allowable;
2. allowable after disclosure/review/approval/oversight;
3. not allowable/prohibited.

C. Activities that are clearly allowable

1. The following are activities whose potential for conflict is deemed very low. As such, participation does not require disclosure and is allowable if it is consistent with other NDSU policies such as time commitment and employee’s ability to meet job obligations. Examples of such activities include, but are not exclusive to:
   
a. Acceptance of royalties and honoraria for published scholarly works and intellectual property (if disclosed to and managed by NDSU or the NDSU Research Foundation), occasional lectures, commissioned papers, and creative works; (See Policy 323 and 323.3.1 for exceptions and exclusions.)

b. Acceptance of honoraria for service as a special reviewer or service on a review panel for academic, government, and not-for-profit entities

c. Acceptance of royalties under NDSU or another academic institution’s royalty policies insofar as the employee does not have any other relationship with the royalty-granting entities. (Exclusion to receiving honoraria is cited in NDSU Policy 152.4.3.)
2. In such cases, the use of NDSU property or facilities is acceptable, if the use of such property or facilities has a legitimate relationship to the University employee’s responsibilities, provided such use is not significant. No disclosure or approval is required in these situations by this policy, although individual administrative units may have their own approval or scheduling procedures. Examples include using institutional resources to author a book, host a meeting, conduct research related to one’s disciplinary field(s), or to serve a professional organization as an officer.

3. In such cases, it is acceptable to utilize institutional employees (e.g., research assistants, secretaries, work study students) to provide assistance, provided the work activity is in keeping with the responsibilities of both parties, does not interfere with the performance of their primary activities, and does not result in significant additional costs to the University. This policy does not require any disclosure, other than intellectual property disclosures as required by policy, or approval process, although individual administrative units may require reporting and approval.

4. In such cases, it is acceptable for employees to acknowledge an affiliation with NDSU, provided this identification is accurate, is not used as part of any endorsement or promotional activities for business or personal gain, and is in keeping with the actual roles and responsibilities at the University (Policy 700.1). University personnel may use University stationery for activities that are related to their assigned University responsibilities. Such identification does not imply, however, that the employee is acting in anything other than in his or her individual capacity.

D. Examples of activities that may be allowable after disclosure, review, oversight, and approval

1. The activities listed in this category designate conflicts ranging from minimal-to-moderate. However, after disclosure and appropriate review, these activities may be allowable in some circumstances, provided prior administrative approval is obtained. Where appropriate or necessary, conditions or provisions for oversight may be imposed. Examples of such activities include, but are not exclusive to:

a. Any ownership or majority control in a commercial enterprise that conducts activities closely related to the employee's area of academic work;
b. Holding an executive position in a commercial (private or public) enterprise or participation in the day-to-day operation of an enterprise directly related to one’s University responsibilities;

c. Assuming a “key” continuing consulting role in an enterprise (including serving as a director of a company);

d. Consulting for additional compensation (e.g., providing services to individuals or firms, presenting educational programs sponsored by private firms or independently by faculty members) through approval (Request for Approval Policy 152);

e. Situations in which the time or creative energy devoted to external activities appear substantial enough so as to compromise the amount or quality of the employee’s participation in the instructional, scholarly, or administrative work of the University;

f. Situations in which a faculty member directs students in a research area from which the faculty member may realize a financial gain, thereby diminishing the faculty member’s ability to render objective, independent judgment on the student’s efforts.

g. Conducting research for any commercial entity.

2. In such cases, approval is required for the use of University resources and facilities that lie outside usual work responsibilities that result in clearly identifiable additional costs to the University. Approval of such situations will generally be conditional on reimbursement of costs. The executive head of the administrative unit in which the activity occurs must approve exceptions to the requirement for reimbursement. Examples include writing a book for outside compensation, hosting a conference, giving private lessons, performing research utilizing University research instruments for an external entity, or serving as an editor for a journal.

3. In cases where an activity will personally benefit the recipient, approval is required for the use of the services of other University employees. If the costs are more than trivial, approval shall only be granted if the requested services are in keeping with the usual University activities of both employees, and the activity is in keeping with the mission of the University.
4. Approval must be granted for student involvement in research activities that have the potential to substantially benefit a business entity in which a University employee has a significant financial interest.

Restrictions on publication rights that may adversely impact the fulfillment of degree requirements are permitted only to the extent reasonably necessary to obtain protection of intellectual property rights if they do not prevent publication of student research in a timely manner. In such instances, the student must be informed of the limitations prior to commencing the work and must agree in writing to those limitations.

E. Activities that are clearly prohibited

These activities pose such serious conflicts with University policy and such high potential for abuse that they cannot be allowed under any circumstances, and are subject to disciplinary action in accordance with NDSU Policies and Procedures. Examples include, but are not exclusive to:

1. Any circumstances in which a substantial body of research or services that could and ordinarily would be carried on within the University is conducted elsewhere to the detriment of the University and its legitimate interests.

2. Any activity outside the purview of the University that

   a. involves or appears to involve the University significantly through the use of its resources, facilities, or the participation of academic colleagues, students, and staff;

   b. involves the use of the University’s name or implied endorsement; or

   c. violates any of the principles set forth in the University Research Policy (805) (for example, giving the outside organization the right to censor or prohibit publication rights for research any part of which is performed under University auspices);

3. Any use for personal profit of unpublished information or data emanating from sponsored agreements or confidential
University sources, or assisting an outside organization by giving it exclusive access to such information.

4. Consulting with outside organizations that impose obligations upon the faculty member or the University that conflict with the faculty member’s or University Intellectual Property Policy or with the University’s obligations under sponsored projects.

5. Any use of the University’s name in connection with private activities in a manner that inappropriately suggests that the University endorses, sponsors, promotes, advertises, or approves the activities or views of the faculty or staff member.

6. Any evaluation of junior faculty, staff, or students based on participation in (or refusal to participate in) outside activities involving business entities in which the evaluating faculty member has a significant financial interest.

7. Any assignment of students to research and or creative activities that involve secrecy or confidentiality requirements beyond best institutional practice.

8. Any use of uncompensated student labor for research or creative activity outside of the University that will result in personal gain for the supervising University employee;

9. Any use of the services of University employees for personal gain such as answering telephones for a private business, typing reports, or conducting research activities or accepting personal compensation for work performed by university employees for external activities;

10. Any conduct of library research by librarians on a product/technology for personal gain, or any use of University facilities or resources for personal financial gain or conducting a private business and using University supplies for non-university activities;

11. Any use of University employees and students, on University time and without reimbursement, for work motivated primarily by commercial concerns or intended to benefit a business entity in which the University employee has a significant financial interest;

12. Any soliciting or receiving, either by the University employee or a member of his or her immediate family a gift, compensation, loan of money, or a non-pecuniary gift, the value of which exceeds the amount permitted by state law; any
soliciting or receiving of remuneration from a person or business entity that is an actual or potential provider of goods or services to the University, in connection with any transaction between the University and any persons or business entity, or under circumstances where it would tend to influence the University employee’s performance of his or her University duties;

13. Any use of university resources (databases, subscriptions, tools, software, etc.) for personal gain or for the gain of a business in which the employee has an interest.

XII. Definitions

A. **Incompatible Obligation** is defined as any agreement

1. between an NDSU employee and an external entity which is incompatible with the employee's obligations to NDSU;
2. which unduly restricts or impairs the employee's ability to perform research or other activities at NDSU;
3. which results in the transfer or compromise of existing or potential NDSU rights in intellectual property;
4. which utilizes NDSU resources without prior written approval of the appropriate University official or designee.

B. **Immediate Family** is defined as the spouse, parents, siblings, dependent children, and children in a University employee’s household (see also under Investigator).

C. **Administrative Head of a Unit** is defined as a department chair or head, dean, director, vice president, president, or equivalent officer who has primary authority for administering an administrative unit. If a conflict exists for an administrative head of a unit, the matter shall be referred to the next level of administrative authority in the normal reporting lines.

D. **Sponsored Activity** is defined as research, training, instruction, construction, and service projects involving funds, materials, or other compensation from outside sources (sponsor) under agreements that contain any of the following:

1. the agreement binds NDSU to a line of scholarly or scientific inquiry or service that is specified to a substantial level of detail;

2. a line-item budget is involved which details expenses by activity, function, or project period. (The designation of overhead [indirect costs] qualifies for inclusion in a budget as “line-item”)
3. financial reports are required, as also progress, technical, and other reports as appropriate;

4. the award is subject to external audit;

5. unexpended funds must be returned to the sponsor at the conclusion of the agreement;

6. the agreement provides for the disposition of either tangible (buildings, equipment, records, technical reports, theses, or dissertations) or intangible (rights in data, software copyrights, or inventions), or patent, patent applications, or other intellectual property that may result from activity.

E. **Investigator** is defined as the principal investigator, co-investigator, and any other person at the institution who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by an external sponsor. As it relates to financial interests, "Investigator" also includes the investigator's immediate family.

F. **Significant Financial Interest** is defined as

1. Anything of monetary value, including, but not limited to, salary or other payment for services (e.g., consulting fees or honoraria);

2. Equity interests (e.g., stocks, stock options, or other ownership interests);

3. Intellectual property rights (e.g., copyrights, trademarks, patents, PVP, and royalties for such rights).

4. The term does **not** include:

   a. Salary, royalties, or other remuneration from North Dakota State University or the NDSU Research Foundation if such payments have not originated with the sponsoring agency;
   
   b. Income for seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
   
   c. Income from service on advisory committees or review panels for public or nonprofit entities; or,

   d. Financial interests in business enterprises or entities if the value of such interests (industry equity interests, salary,
fees, or other continuing payments) does not exceed $10,000 per annum or represents more than 5% ownership interest for any one enterprise or entity when aggregated for the investigator, the investigator's spouse, and dependent children.

G. **Financial Disclosure** is defined as the formal filing of information with a designated NDSU administrator, disclosing any direct and indirect financial interests that the employee, or spouse, or any dependent(s) has in the sponsor of a sponsored activity for which the filee is serving or will serve as an investigator.

H. **Intellectual Property** is defined as any ideas, inventions, technology, biological organisms, software, creative expression (and derivatives thereof), in which a proprietary interest may be claimed including, but not limited to, patents, patent applications, copyrights, trademarks, data sets, know-how, show-how, and biological materials.

I. **Consulting** is defined as a professional activity related to the University employee’s academic field or discipline that involves a fee-for-service or equivalent relationship with a third party. *(In consulting, the employee agrees to use his or her professional capabilities to further the interests of a third party in return for compensation. See also NDSU Policy regarding Professional Service with Remuneration [Consulting], Policy 152.5)*

J. **Technology Transfer** is defined as (and includes) any license, assignment, or conveyance of any legal or equitable interest in intellectual property that is owned by NDSU, or the NDSU Research Foundation including but not limited to, the right to make, market, copy, sell, or use such property in any way.


**Previous Minutes**

Minutes of the February 13, 2006, meeting were approved with unanimous consent.

**General Announcements**

1) Provost and Vice President Schnell announced the following:
   - Re-accreditation-The February site visit was successful and NDSU has been recommended for approval for another ten years. We are still awaiting a draft of the final report to proof and respond to any inaccuracies.
   - Equity-A report from an outside consultant hired by the University System has presented questionable figures. NDSU numbers have been combined with those of Agriculture Extension. By law, agriculture funding cannot be used for instruction, etc. The University System’s approach to funding is very complex and more simple solutions have been proposed. The fear is that no change will happen as a result of this report.
   - The Chancellor’s Cabinet will meet soon to discuss salary guidelines.
   - NDSU’s English Ph.D. program proposal in Rhetoric, Writing and Culture has been met with opposition by UND.

2) J. Council, president of University Senate, announced:
   - He is still compiling and receiving data on the faculty service project.
   - A 2/3 vote was required to change the University Senate Bylaws to include a consent agenda. Due to PRS/technical malfunction, the data was lost, so another vote will need to be cast. Council shared a sample consent agenda and further explained how they work.
3) D. Cooley, parliamentarian, presented a tutorial on Division and Voting. This is to be used whenever a member doubts the result of a voice vote or a vote by show of hands—either because the result appears close or because he doubts that a representative number of the members present have voted—he can call for a Division of the Assembly. (RROO Section 29). He shared Division of Assembly characteristics. (The full tutorial is posted on the University Senate web site at http://www.ndsu.edu/ndsudeott/univ_senate/).

Committee Reports

A. Academic Affairs (Attachment 1):

T. Knoepfle presented for approval several new courses, course changes, and course deletions, as well as two new programs, a new prefix, a college name change, and a program title change. MOTION (Knoepfle/Reimnitz): to approve the committee recommendations as posted. MOTION PASSED WITH UNANIMOUS CONSENT.

B. General Education (Attachment 2):

M. Christoffers, presented new courses for general education and courses for continued approval as general education. MOTION (Christoffers/Little): to approve the committee recommendations as presented. MOTION PASSED WITH UNANIMOUS CONSENT.

C. Policy Coordinating Committee

E. Berry presented the following policies for information:

- Section 107 – Employment Qualifications
  - This policy has been updated to reflect current Child Labor information.

- Section 158 – Acceptable Use of Electronic Communication Devices
  - Language was added to subsection (4) to state that attempts to conceal one’s identity or use a false identity is considered an unacceptable use of electronic communication devices. Communications should accurately identify the author. Concealment of misrepresentation of the author’s identity to mask irresponsible or offensive behavior would be considered unacceptable.
• **Section 310 – Base Salary**
  - Revisions are intended to update the policy to reflect the change from monthly pay periods to semi-monthly pay periods. Brief discussion ensued on the formula used to accurately calculate nine, eleven and 12 month salaries.

• **Section 339 – Communication Proficiency**
  - Procedural language is being removed from the policy. Specific requirements to verify communication skills will be determined by the Graduate School and posted in the *Graduate Bulletin*. Dean Wittrock explained that the current mechanisms will not be changed, but that moving it into the *Graduate Bulletin* will make updating easier.

• **Section 700 – Services and Facilities Usage**
  - Language has been added to cross-reference with NDSU Policies 601 and 150, limiting solicitations on campus.

**D. Council of College Faculties**

T. Barnhart shared findings of the compensation report were shared. Because North Dakota faculty are paid lower than their peers, CCF recommends:

- A total combined increase of at least 7.4 percent for faculty and staff is recommended for each year of the 2007-09 biennium. At a minimum, provide for salary adjustments based on the annual change in the consumer price index (CPI), allowing faculty and staff to maintain purchasing power; and, an additional market adjustment to prevent NDUS salaries from falling further behind the market.
- The State continues to fund 100 percent of employee health insurance premiums with no changes to deductibles or co-payments.
- The State increases the retirement plan contribution from 10 percent to 12.5 percent and employee contribution from 2 percent to 2.5 percent for employees with over 15 years of service.

There was discussion on the potential impacts of this proposal on student tuition. Schnell reported that a 9.5% tuition increase has been proposed for the 2006-2007 academic year. Utility costs have played into this recommended increase.

MOTION (Hannon/Berry): to support the recommended CCF proposal.
MOTION CARRIED WITH A VOTE OF 55-4-3. The following senators or their substitutes voted aye: Andersen, Askelson, Bahrami, Balaz, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Danbom, Duncan,
Unfinished Business

A. Bylaws Revision to Allow a Consent Agenda -
   Due to PRS malfunction at the February meeting, a new vote was cast on the original
   motion of revising the University Bylaws to allow for a consent agenda (see motion in
   February 13, 2006, meeting minutes, Attachment 6).

   MOTION PASSED WITH 55-3 VOTE. The following senators or their substitutes voted aye: Andersen, A
   Askelson, Bahrami, Balaz, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Danbom, Duncan, Esslinger, Fil
   Grafton, Gross, Gustafson, Hannon, Harvey, Hatterman-Valenti, Hauck, Hopkins, Howatt, Kallmeyer, Klenow, Knoepfle, Langley, L
   Little, Manikowske, D. Miller, E.J. Miller, Montgomery, Ostlie, Panigrahi, Peterson, Pinkston, Randall, Ransom, Rasmussen, Reimnitz, Rider, Riley, Robinson, Rogers, Schnell, Schwert, Scott, Smith, Sperl, Teigen, Terbizan, Trowbridge, Webster, and Wittrock. The following senators or their substitutes voted no: Beck and Steele.

B. IT Reorganization Report and Recommendations (Attachment 3) -
   Provost Schnell explained how the IT Roundtable was established several years ago to look at IT needs on campus. This group has been inactive for a number of years and a new organization plan for Information Technology at NDSU has been drafted. Schnell shared the IT reorganization report and recommended motions as follows:

   MOTION 1 (Schnell/Wittrock):
   1. That the NDSU University Senate receive the report titled “A Review of the Information Technology Committee System at North Dakota State University,” and accept Charge Items 1-3, as presented in the report.
2. That the NDSU University Senate endorses the implementation of the following Charge Items:
   4. Recommend a set of goals for the NDSU IT governance system
   5. Recommend a set of formal groups that should comprise the NDSU IT committee system
   7. Recommend a process and timeline for making changes in the NDSU IT committee system

Brief discussion ensued on leadership from the various Senates on the ITAG, appointments vs. election to committees, and committee membership limits/rotation.

MOTION CARRIED WITH A VOTE OF 52-5-3. The following senators or their substitutes voted aye: Andersen, Bahrami, Balaz, Beck, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Danbom, Duncan, Esslinger, Filpus, Garden-Robinson, Glower, Gross, Gustafson, Harvey, Hopkins, Howatt, Kallmeyer, Klenow, Langley, Little, Mallett, Manikowske, D. Miller, E.J. Miller, Montgomery, Ostlie, Panigrahi, Peterson, Pinkston, Randall, Ransom, Reimnitz, Rider, Riley, Robinson, Rogers, Schnell, Schwert, Scott, Smith, Sperl, Steele, Teigen, Terbizan, Trowbridge, Webster, and Wittrock. The following senators or their substitutes voted no: Berry, Hannon, Hatterman-Valenti, Knoepfle, and Rasmussen. The following senators or their substitutes abstained: Askelson, Grafton, and Hauck.

MOTION 2 (Schnell/Coykendahl): That the NDSU University Senate endorses the implementation of Charge Item 6: Recommend the continuation, modification, or dissolution of existing IT Committees, and as part of this implementation, place on the April, 2006, meeting agenda, motions to dissolve the following University Senate Standing Committees:
   1. Computing and Information Technologies Planning and Goals Committee (Part IX, Section 15)
   2. Technology Enhanced Learning Committee (Part IX, Section 18)

MOTION PASSED WITH UNANIMOUS CONSENT.

New Business

A. Revising Bylaws to include Distance and Continuing Education on University Assessment Committee

R. Harrold explained that the Higher Learning Commission recognizes the growth of distance education activities and expects that DCE activity is kept in parallel with other academic guidelines on campus.
MOTION (Harrold/Teigen): for University Senate to consider a Bylaws change at the April Senate meeting to insert in Part IX, Section 12.1 (pertaining to membership) “....a representative from the Division of Distance and Continuing Education....”

B. Commendation of the Self-Study Reaccreditation Review Team chaired by Dr. Robert Harrold.

MOTION (Little/Teigen): That the NDSU University Senate hereby recognizes the three years of hard work by the Self-Study Reaccreditation Review Team, and commends Dr. Harrold and team members for their excellent results. MOTION PASSED WITH UNANIMOUS CONSENT.

C. Confirmation of Fall 2005 Graduates (Attachment 4) -

MOTION (Terbizan/Sperl): To confirm of our Fall 2005 graduating class. MOTION PASSED WITH UNANIMOUS CONSENT.

Discussion

A. Policy 151.1 – External Activities and Conflicts of Interest (Attachment 5) –

Provost Schnell sought input from the University Senate on the draft policy. He explained that conflicts of interest cannot be avoided, but can be managed. There was discussion on the legality of personnel matters being public vs. in executive session, academic freedom, patents relative to this policy, and time limitations. Recommended changes will be considered for incorporation into the final policy and presented again to the Executive Committee. It will come before the Senate for a vote in April.

Adjournment

Meeting adjourned at 4:45 p.m.
Academic Affairs Committee

Approved Curricular Recommendations

College Name Change
From: College of Pharmacy
To: College of Pharmacy, Nursing, and Allied Sciences

New Prefix
MN (Materials and Nanotechnology)

New Programs
Large Animal Veterinary Technology, Minor
Materials and Nanotechnology, Ph.D.

Program Title Change
From: Recreation Management
To: Sport and Recreation Studies, B.A., B.S.

New Courses

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<td>Sports Marketing</td>
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### Changes in Course Prefix, Number, Title, and Credits

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**Cross-Listed Courses**
Review of General Education Courses

Approved General Education Recommendations

Outcomes Key:
1. Communicate effectively in a variety of contexts and formats.
2. Locate and use information for making appropriate personal and professional decisions.
3. Comprehend the concepts and perspectives needed to function in national and international societies.
4. Comprehend intrapersonal and interpersonal dynamics.
5. Comprehend concepts and methods of inquiry in science and technology, and their applications for society.
6. Integrate knowledge and ideas in a coherent and meaningful manner.
7. Comprehend the need for lifelong learning.

Courses Approved for General Education (New)

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Continued Approval (5-Year Renewal) for General Education with No Changes in Outcomes

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*Formerly ARCH/LA 171: Introduction to Environmental Design
A Review of the Information Technology Committee System at North Dakota State University

Final Report: December 12, 2005
Additional edits: March 8, 2006
I. Overview

NDSU has changed and improved dramatically in the past five years in response to the President’s vision of moving the institution to the Next Level in all of its activities. The University aspires to be a premier metropolitan land-grant institution with exemplary programs related to its fundamental missions of education, research, and service. In order to support these ambitions, the University will need an exemplary information technology environment that makes it possible for students, faculty, and staff to accomplish their work efficiently from almost any place on the planet at any time they need to have access to electronic information, resources, and services.

To help create such an environment, NDSU needs a well-defined, broadly representative, and highly collaborative IT planning and policy development system. Such a system will be instrumental in helping the University proactively develop the key building blocks of an exemplary IT environment such as a strategic funding plan for IT that is appropriate for an institution of NDSU’s mission, goals, and size.

On September 6, 2005, NDSU Provost/VPAA Craig Schnell appointed a Review Team of campus representatives to examine the University’s present IT-related committee structure and to make recommendations for improvement. This document describes the work of the Team.

As background for its work, the Team reviewed a number of articles related to “best practices” in the organization, management, and governance of IT in higher education. After discussing the materials, the Team agreed that “IT governance” means the organizational system and processes (i.e., the IT-related committees and the way they work and interact) that determine how an institution makes decisions related to strategic planning, policy development, and program review and facilitates communication throughout the institution about IT matters.

One of the Team’s tasks was to assess the existing IT committees at NDSU, which include the Information Technology Roundtable, the Web Advisory Board, the Computing & Information Technologies Planning and Goals Committee, the Technology Enhanced Learning Committee, the Technology Fee Advisory Committee, the Acceptable Use Review Committee, the CHPC Advisory Council, and the Agriculture IT Advisory Group. The Team discussed the status of each of the existing groups and the characteristics of the current IT committee structure. A major weakness at present is that the University does not have an active high-level planning and policy committee for IT. In general, the Team agreed that the current structure does not adequately address the four areas that should be the basic functions of an IT committee system.
The Team recommended a set of goals for a new IT committee system at NDSU based on the background readings and on the assessment of the current structure. The most important goals are to have the President, Cabinet, and campus leadership endorse the new committee system and support a formal IT planning strategy linked to the campus budgeting process. The new committee system should be built around IT planning, policy development, and program review, and should ensure broad institutional representation and communication.

Based on the goals for a new IT committee system, the Team made a number of recommendations about the components of a new IT committee system and the current structure, including the following:

- **Recommendation:** Create a high-level executive committee (called the “IT Council” or “ITC”) that will serve as the primary coordinating body for IT strategic planning, policy development, and program review for the University. The ITC members should be “representatives of representatives” in the sense that each member occupies a leadership role somewhere in the University.

- **Recommendation:** Create several representative advisory groups in various functional areas (called “IT Advisory Groups” or “ITAGs”) that will be advisory to the IT Council and the University CIO; participate in the processes of planning, policy development, and program review under the general coordination of the IT Council; facilitate campus communication related to IT matters; and be widely representative. ITAGs would be created in areas of IT use such as Teaching and Learning, Research, Information Systems, Standards and Infrastructure, and Student Issues.

The Team recommended that several existing committees be modified to align them effectively with the new committee system. The Team also recommended that several committees that are inactive or no longer have effective roles in the current IT environment be dissolved, with the duties of those groups reassigned to the IT Council or to the ITAGs.

The Team believes that implementation of the recommendations in this report will have a significant impact on the quality of NDSU’s IT environment and will help facilitate the University’s Next Level goals.
II. Details of the Review

A. Review Team Charge

On September 6, 2005, NDSU Provost/VPAA Craig Schnell created a Review Team to examine the NDSU IT-related committee system and to make recommendations for improvement and implementation. The following charge was given to the Team:

1) Become familiar with the general nature, purpose, and goals of a university IT governance structure.
2) Review the strengths and weaknesses of the current IT committee structure at NDSU.
3) Review the modified IT committee system proposed in 2004.
4) Recommend a set of goals for the NDSU IT governance system.
5) Recommend a set of formal groups that should comprise the NDSU IT committee system, including the purpose and structure of the groups as well as the desired relationships among the groups.
6) Recommend the continuation, modification, or dissolution of existing IT committees.
7) Recommend a process and timeline for making changes in the NDSU IT committee system.

B. Review Team Members

The Review Team members were

1) Holly Bastow-Shoop, Professor and Department Head, Apparel, Design, Facility & Hospitality Management;
2) Kevin Brooks, Associate Professor, English;
3) Pam Drayson, Dean of Libraries;
4) Dan Ewert, Professor and Chair, Electrical Engineering;
5) Jeff Gerst, Professor, Biological Sciences;
6) Jessie Johnson, ITS Communications Coordinator;
7) James Kennedy, Director, Student Financial Services;
8) Brian Miller, Analyst/Technician, Facilities Services;
9) Prakash Mathew, Dean of Student Life;
10) Tom Moberg, Vice Provost & CIO, Review Team Chair;
11) Teresa Oe, Senior student;
12) David Wittrock, Dean of the Graduate School; and
13) Kristi Wold-McCormick, University Registrar.
C. Review Process

The Review Team met six times throughout the Fall 2005 semester and carried out the following activities:

1) developed a work plan and timeline;
2) read background materials;
3) reviewed and discussed the existing IT management structure at NDSU, including the ITS role in providing HECN support;
4) reviewed and discussed an existing IT committee restructuring proposal;
5) compiled and reviewed notes from each meeting of the Team;
6) discussed and agreed upon a broad set of recommendations in the areas suggested by the Team Charge; and
7) produced the final Report, which is organized according to the seven items in the Charge to the Review Team.
III. Charge Item 1:
Become familiar with the general nature, purpose, and goals of a university IT governance structure

A. Background Materials

To accomplish Charge Item 1, the Review Team read and discussed the following materials related to the organization, management, and governance of IT in higher education:

1) Strategic Assessment of Information Technology Environments in Higher Education, by Tom Moberg
   This paper builds on work done in EDUCAUSE to describe IT environments and help educational institutions assess their own IT environments. A basic idea in the paper is that the IT environment has interrelated, systemic components that can be described and assessed.

2) Why IT is Harder Than It Looks, by Tom Warger
   This short article provides a non-technical perspective on the complexities of managing IT today.

3) Building an Effective Governance and Decision-Making Structure for Information Technology, by James Penrod
   This article is a chapter from the EDUCAUSE publication “Organizing and Managing Information Resources on Your Campus.” The author, Dr. James Penrod, has been a CIO in higher education for at least 20 years and is widely viewed as a theoretical and practical expert on IT governance in higher education.

4) Using an IT Governance Structure to Achieve Alignment at the University of Cincinnati, by Bob Albrecht and Judith Pirani
   The EDUCAUSE Center for Applied Research (ECAR) published this case study describing the development of a new IT governance structure at a large research university as an example of one way a governance process can be developed. The word “alignment” as used in the IT governance literature connotes the positive ways that an IT environment is developed to support institutional goals.

B. Definitions

After reading and discussing these materials, the Review Team agreed that “IT governance” means the organizational system and processes (i.e., the IT-related
committees and the way they work and interact) that determine how an institution makes decisions related to strategic planning, policy development, and program review and facilitates communication throughout the institution about IT matters. In this sense, the word “governance” is widely used in IT management circles in both higher education and the business world. As noted above, the word “alignment” is sometimes used in conjunction with “governance” to indicate that the IT vision is consistent with the University’s goals. Throughout the rest of the discussions, the Team used the “IT governance” definition above to guide its thinking and recommendations.

The Review Team understands that the word “governance” may confuse or concern some people, especially if they believe the word “governance” connotes strong control without adequate channels for campus-wide participation and communication. The readers of this Report are asked to keep in mind that “IT governance” as used here has the specific definition given in the paragraph above, and the recommendations carefully developed by the Review Team are intended to create an IT committee system that will incorporate broad representation, clear decision making, careful planning, and strong communication as inherent characteristics of the design.

The Review Team also discussed the important difference between “IT governance” as defined above and “IT management,” which means the activities carried out by the professional IT staff (such as ITS) to lead, guide, direct, manage, and support the institution’s IT resources and services in a context largely determined by the governance system. In this sense, IT “governance” is something a university community does, while IT “management” is something the IT support organization does to implement the plans and policies that are developed as part of the governance and alignment activities.
IV. Charge Item 2:  
Review the strengths and weaknesses of the current IT committee structure at NDSU

A. Overview of Existing IT Committees

Based on materials published on the NDSU Web site, the Review Team identified the following information about the Purpose, Meeting Status, Reporting Status, Start Date, and Membership of all IT-related groups at NDSU the Review Team was able to identify.

1) Information Technology Roundtable (ITR)
   a. Purpose: Create a campus vision for integrated use of technologies; Develop a strategy for integration of the technological and informational functions of various units that support the University's instructional, research, and outreach activities; Engage in continuous review of information technology policy and propose revisions or new policies as appropriate; Inform and advise administrative and governance groups on information technology; Enlist campus participation in special projects that improve the University's ability to deploy information technology in support of its mission.
   b. Meeting Status: Has not met for several years
   c. Reporting Status: Reports to President
   d. Start Date: 1996 (?)
   e. Most Recent Membership: None

2) Web Advisory Board (WAB)
   a. Purpose: Provide for the creation and maintenance of "a significant NDSU Web presence for both external and internal educational, marketing, and, informational service purposes"; Promote our Web site as the integrated center of all Web functions at NDSU; Develop a set of evolving technology and design guidelines that track evolution of Web-based and multimedia technologies; Coordinate the home page presence of NDSU divisions (e.g., colleges, departments, athletics, administrative services, etc.) in such aspects as major links, minimal download time, and coding efficiencies; Ensure that home page guidelines are developed with interdisciplinary input and that such guidelines allow for creative presentation of the diverse interests and services of this land-grant institution.
   b. Meeting Status: Has not met for several years
   c. Reporting Status: Reports to President
   d. Start Date: 1997
e. Most Recent Membership: Stan Ernst, Felix Guerrero, Phil McClean, Laura McDaniel, Bill Slangs, Alberta Dobry (ex officio), Ludvik Herrera (ex officio), Jim Ross (ex officio)

3) Computing & Information Technologies Planning and Goals Committee (CITPG)
   a. Purpose: Formulate and maintain long-range goals for academic computing and information technologies at NDSU; Assist the NDSU administration in developing plans and goals regarding facilities for computing and information technologies on campus; Provide input in formulating policies and procedures for the NDSU Information Technology Services; Receive, review, and address computing and information technology concerns at NDSU.
   b. Meeting Status: Meets every other week during the regular semester
   c. Reporting Status: Reports to University Senate once per year
   d. Start Date: A committee of this sort has been in existence for at least 20 years, but only within the past decade became a Standing Committee of the University Senate.
   e. Most Recent Membership: Each College (except University Studies) plus Computer Science and Operations Research, Ag Communications, ITS, Library, Staff Senate, and the Student Association of Computing Machinery Club

4) Technology Enhanced Learning Committee (TELC)
   a. Purpose: Address issues associated with curriculum delivery that are uniquely tied to technological advances in education, with special focus on distance education. Such issues include interfacing with multiple providers, delivery format, budgetary policy, intellectual property rights, academic freedom, and the relevance of technology-enhanced learning efforts to faculty rewards and to promotion, tenure, and evaluation.
   b. Meeting Status: Has not met for several years
   c. Reporting Status: Reports to University Senate once per year
   d. Start Date: 1999
   e. Most Recent Membership: One faculty member from each representation unit (except the College of University Studies), one undergraduate student, and one graduate student. The following units have non-voting membership: NDSU Libraries, ITS, Continuing Education, Distance Education Work Group, Division of Student Affairs, NDSU Extension.

5) Technology Fee Advisory Committee (TFAC)
   a. Purpose: Discuss and formulate recommendations to the Provost and Vice President for Academic Affairs about supporting [special] projects that improve the information technology capabilities on campus by the appropriate use of the technology fee.
   b. Meeting Status: Meets each semester
c. Reporting Status: Reports to Provost/VPAA  
d. Start Date: 1995  
e. Most Recent Membership: 6 Students, 3 Faculty, 3 Staff, Provost (ex officio), CIO (ex officio)

6) Acceptable Use Review Committee (AURC)
   a. Purpose: Interpret University's IT Acceptable Use Policy  
   b. Meeting Status: Meets as necessary  
   c. Reporting Status: Reports to Provost/VPAA  
   d. Start Date: 2004  
   e. Most Recent Membership: General Counsel, Human Resources Director, Equity & Diversity Director, CIO, University Information Security Officer (ex officio)

7) Center for High-Performance Computing Advisory Council (CHPC Advisory Council)
   a. Purpose: Provide advice to the Director of the CHPC  
   b. Meeting Status: Meets several times per semester  
   c. Reporting Status: Reports to the Director of the Center for High-Performance Computing  
   d. Start Date: 2003  
   e. Most Recent Membership: Bonnie Neas, Greg Wettstein, Bill Perrizo, Mario Bondini, Stefan Balaz, Dan Kroll, other faculty who use the CHPC

8) Agriculture IT Advisory Group
   a. Purpose: Define a baseline of technology that will be supported by NDSU Agriculture; Develop closer collaboration between centralized IT support staff and individuals who provide IT support on an informal basis to their department or unit; Expand IT training for agriculture faculty and staff.  
   b. Meeting Status: Meets monthly  
   c. Reporting Status: Reports to Vice President for Agriculture  
   d. Start Date: 2001  
   e. Most Recent Membership: The AITAG membership is under review by the Vice President for Agriculture and University Extension. The most recent members were: Randy Mehlhoff (chair), John Enz, Jim Hammond, Shelly Swandal, Lori Lymburner, Patty Flaagan, Margaret Tweten, Tim Becker, Gordon Bradbury, Dave Rice, Becky Koch, and Rosi Kloberdanz.

B. Assessment of the Current IT Committee Structure

The Review Team discussed the current status of each of the groups and the overall impressions of how the current IT-related University committee structure is working. Members of the Review Team have served on nearly all the existing groups, so the Team had substantial first-hand knowledge of the current structure.
The Review Team identified a number of specific weaknesses of the current University IT committee structure, including the following:

1) The University does not have an active high-level planning and policy committee for IT.
2) The University does not have a formal mechanism for IT strategic planning at any level, from departmental to institutional.
3) There is no clear, concise way to develop institutional IT policies, standards, and procedures.
4) The University tends to use ad hoc task forces to deal with major campus-wide IT issues when they arise, which has created some useful short-term results but also leads to fragmented, inconsistent, and ad hoc solving approaches.
5) There are only two active campus-wide IT committees: the Computing & Information Technologies Planning and Goals Committee (CITPG) and the Technology Fee Advisory Committee (TFAC). These two committees are not formally connected or coordinated.
6) The CITPG (a Standing Committee of the University Senate) does not currently play a significant role in campus-wide IT planning because the committee does not have the kind of campus standing that would allow it to facilitate such planning. The CITPG membership categories were created years ago and do not reflect contemporary campus IT interests. Several subcommittees operating under the auspices of CITPG have worked effectively with ITS in various areas such as classroom IT facilities and wireless networking.
7) The TFAC works conscientiously to allocate the student technology fee, but the committee only meets a few times a year and does not have any formal or systematic procedures for staying informed about campus IT directions.
8) A number of existing committees, including the IT Roundtable, the Web Advisory Board, and the Technology Enhanced Learning Committee (a University Senate Standing Committee), are not currently meeting or functioning.
9) Some College and departmental IT committees exist (e.g., the Agriculture IT Advisory Group), but they are not formally connected to institutional IT plans and directions or to each other.
10) The opportunities for representation and engagement from campus constituencies in the current committee structure are limited.
11) The current IT-related committees and groups were not created to address IT issues in a comprehensive and systematic manner. Consequently, these fragmented committees do not function together as a system. There are almost no formal lines of communication between and among committees. Other than CITPG (which submits one yearly report to the University Senate), these committees do not report widely on their activities.
12) No University committees have responsibilities to help align NDSU and North Dakota University System (NDUS) IT planning activities even though
a substantial portion of ITS funding is based on IT services that ITS provides to the NDUS institutions.

In general, the Review Team agreed that the current NDSU IT committee structure does not adequately address the four areas that should be the basic functions of an IT governance system (e.g., strategic planning, policy development, program review, communication).
V. Charge Item 3:
Review the modified IT committee system proposed in 2004

In 2004, the NDSU CIO developed a Proposal to modify the NDSU IT committee system to alleviate problems with the current structure (as described above). At that time, the Proposal was evaluated and generally supported by many groups on campus, but no action was taken. The purpose of Charge Item 3 was to have the Review Team take a fresh look at the Proposal as background material for the overall governance review.

The Review Team spent several meetings discussing the Proposal in detail and relating it to the general concepts about IT governance and alignment. Some of the suggestions in the Proposal about goals, committees, and committee relationships were incorporated with modifications into the Review Team’s final recommendations.
VI. Charge Item 4: 
Recommend a set of goals for the NDSU IT governance system

A. Source Materials on Goals

To develop a set of goals for a campus IT governance system, the Review Team reviewed the goals outlined in the aforementioned Proposal and the background paper by James Penrod titled *Building an Effective Governance and Decision-Making Structure for Information Technology*, which in a sense represents “best practices” in higher education.

B. Recommended Goals

The Review Team recommended the following goals for a new IT governance system at NDSU:

1) The President, Cabinet, and campus leadership should endorse a new IT committee system.
2) The President, Cabinet, and campus leadership should support a formal IT planning strategy linked to the campus budgeting process.
3) The system should be built around the four basic governance functions related to planning, policy development, program review, and communication.
4) The system should ensure broad institutional representation and involvement.
5) The system should have a high-level committee made up of “representatives of representatives” to provide a central focus for the overall system, act as an “executive committee” for the advisory groups, coordinate campus IT planning and policy development activities, and facilitate communication with the senior administration and the campus.
6) The system should have representative advisory groups in various functional areas to ensure wide representation, adequate input, and effective communication related to campus IT activities.
7) The system should accommodate subcommittees, ad hoc project teams, interest groups, and other kinds of special purpose groups when the need arises.
8) All permanent and temporary groups in the system should have well-defined organizational relationships.
9) The design of the system should incorporate extensive communication channels between and among all committees and the campus.
10) The system should ensure a clearly defined relationship between ITS and the various committees.
11) The system should clarify roles and responsibilities between ITS and other IT support entities on campus.
12) The system should ensure better connections between the NDSU and the NDUS governance systems.
13) The new system should be comprehensively evaluated every three years to ensure that it is meeting the campus needs.
VII. Charge Item 5:
Recommend a set of formal groups that should comprise the NDSU IT committee system, including the purpose and structure of the groups as well as the desired relationships among the groups

A. The Information Technology Council

One of the goals recommended by the Review Team is the creation of a high-level executive committee (called the “IT Council” or “ITC” in this Report). The ITC should have the following general characteristics:

1) The ITC will serve as the primary coordinating body for IT strategic planning, policy development, and program review for the University.
2) The ITC will serve in an advisory capacity to the President, Cabinet, and NDSU CIO.
3) The ITC will serve as a coordinating body for various formal IT advisory groups to help facilitate campus-wide communication related to IT matters.
4) The ITC members will be “representatives of representatives” in the sense that each member will occupy a leadership role somewhere in the University.
5) The ITC membership should consist of a vice president, a dean, an academic department head, an administrative unit director, the University Librarian, the chairs of the functional area advisory groups, the University Senate President, the Staff Senate President, the Students Senate President, and the University CIO. The CIO will serve as chair of the ITC to help ensure consistent leadership.
6) The advisory group chairs will automatically become members of the ITC, and the other members will be appointed by the President or the President’s designee.
7) The ITC will have By-laws to guide its activities and meetings.
8) The ITC members will be expected to be well-informed about strategic IT issues and be willing to make a substantial time commitment to the ITC.
9) Administrative support for the ITC will be provided by ITS.
10) The ITC members will serve three-year, staggered terms to ensure overlap.
11) The ITC will meet at least monthly throughout the entire year.

B. IT Advisory Groups: General Characteristics

Another recommended goal is the establishment of representative advisory groups in various functional areas (designated “IT Advisory Groups” or “ITAGS” in this Report). All the ITAGs would have some common characteristics such as the following:

1) The ITAGs will be advisory to the IT Council and the University CIO.
2) The ITAGs should facilitate the creation of learning communities where faculty, staff, and students can join together to explore ways that information technologies can best be used in key aspects of the University mission.

3) The ITAG activities should include reality-based study, discussion, and synthesis, as well as participation in the processes of planning, policy development, and program review under the general coordination of the IT Council.

4) The ITAGs could be fairly large in size to accommodate a wide range of representatives and interests.

5) Members of an ITAG would be expected to be well-informed about IT issues relevant to the ITAG’s charge and must be willing to make a reasonable time commitment to the group.

6) The ITAGs that are directly involved with issues of interest to faculty should have members appointed from each College according to the standard mechanisms used by the individual Colleges for determining such appointments.

7) ITS staff members would provide administrative support for the ITAGs.

8) Being less formal than the IT Council, the ITAGs may not need By-laws.

9) ITAGs may be created when there is sufficient need and interest, or may be dissolved if interest in a particular area wanes.

C. Specific IT Advisory Groups Recommended by the Review Team

1) ITAG for Teaching and Learning:
   a. Purpose: Participate in strategic planning, policy development, resource allocation, and program assessment related to the use of IT in the University’s teaching and learning activities; Serve as a special interest group for people interested in use of IT in teaching and learning activities; Help facilitate campus-wide communication related to IT matters.
   b. Membership (Total: 16 regular, 4 ex officio):
      1. Appointee from each College (8)
      2. Faculty appointee from University Senate (1)
      3. Staff appointee from Staff Senate (1)
      4. Librarian appointee from the Library (1)
      5. Staff member from the ITS Technology Learning Center (1)
      6. Graduate student appointees from the Graduate School (2)
      7. Undergraduate student appointees from Student Senate (2)
      8. At-large members appointed by committee – ex officio (3)
      9. ITS staff member – ex officio (1)

2) ITAG for Research:
   a. Purpose: Participate in strategic planning, policy development, resource allocation, and program assessment related to the use of IT in the University's research activities; Serve as a special interest group for
people interested in the use of IT in research activities; Help facilitate campus-wide communication related to IT matters.

b. Membership (Total: 15 regular, 4 ex officio):
   1. Appointee from each College (8)
   2. Faculty appointee from University Senate (1)
   3. Staff appointee from Staff Senate (1)
   4. CHPC Advisory Council appointees (3)
   5. Graduate student appointees from the Graduate School (2)
   6. At-large members appointed by committee – ex officio (2)
   7. ITS staff members – ex officio (2)

3) ITAG for Information Systems:
   a. Purpose: Participate in strategic planning, policy development, resource allocation, and program assessment related to the use of information systems in the University’s administrative and business activities; Serve as a special interest group for people using PeopleSoft and other information systems; Help facilitate campus-wide communication related to IT matters.
   b. Membership (Total: 15 regular, 4 ex officio):
      1. NDSU Business Office appointee (1)
      2. Ag Business Office appointee (1)
      3. Finance Office appointee (1)
      4. Registration and Records Office appointee (1)
      5. Admissions Office appointee (1)
      6. Grants & Contracts appointee (1)
      7. Facilities Services appointee (1)
      8. Human Resources appointee (1)
      9. Student Affairs appointee (1)
     10. Provost's Office appointee (1)
     11. Library appointee (1)
     12. Graduate student appointed by Graduate School (1)
     13. Undergraduate student appointed by Student Senate (1)
     14. University Senate appointee (1)
     15. Staff Senate appointee (1)
     16. ITS staff members – ex officio (2)
     17. At-large members appointed by committee – ex officio (2)

4) ITAG for Standards and Infrastructure:
   a. Purpose: Participate in strategic planning, policy development, resource allocation, and program assessment related to the University’s IT standards and infrastructure activities; Serve as a special interest group for people interested in IT standards, infrastructure, desktop resources, local and wide-area networking, Internet2, and other technology issues; Help facilitate campus-wide communication related to IT matters.
   b. Membership (Total: 14 regular, 4 ex officio):
      1. Appointee from each College (8)
2. Appointee from University Senate (1)
3. Appointees from Staff Senate (2)
4. ITS Director of Infrastructure Services (1)
5. Graduate student appointee from the Graduate School (1)
6. Undergraduate student appointee from Student Senate (1)
7. At-large members appointed by committee – ex officio (2)
8. ITS staff members – ex officio (2)

5) ITAG for Student Issues:
   a. Purpose: Participate in Technology Fee planning, IT policy development, resource allocation, and program assessment related to student IT issues; Serve as a special interest group for students interested in use of IT to enhance student activities on campus; Help facilitate NDSU campus-wide communication related to IT issues of interest to students.
   b. Membership (Total: 11 regular, 4 ex officio)
   1. Undergraduate student appointees from Student Senate (2)
   2. Student appointees from Student Technology Services (2)
   3. Student appointees from Residence Life (2)
   4. Student appointees from Distance Education (2)
   5. Graduate student appointees from Graduate School (2)
   6. Staff appointee from Staff Senate (1)
   7. At-large members appointed by committee – ex officio (2)
   8. Associate Provost representing TFAC – ex officio (1)
   9. ITS staff member – ex officio (1)
VIII. Charge Item 6: 
Recommend the continuation, modification, or dissolution of existing IT committees

The Review Team made the following recommendations about the existing IT committees discussed during the Review.

1) Information Technology Roundtable (ITR):
   a. Recommend that the President formally dissolve the IT Roundtable.
   b. Recommend that the planning, policy development, program review, and communication functions formerly assigned to the IT Roundtable be reassigned to the new IT Council as part of the creation of the new IT committee system.

2) Web Advisory Board (WAB):
   a. Recommend that the President formally disband the Web Advisory Board.
   b. Recommend that the campus Web reengineering issues be referred to the new IT Council as part of that group’s planning and program review activities.
   c. Recommend that a new ITAG for University Web Development be created if/when NDSU embarks on a major Web reengineering project.

3) Computing & Information Technologies Planning and Goals Committee (CITPG):
   a. Recommend that the University Senate dissolve the CITPG.
   b. Recommend that the University Senate Executive Committee assist in reassigning the formal duties of the CITPG to various ITAGs in the new system.
   c. Recommend that the University Senate, the Staff Senate, and the Student Senate appoint members to the ITAGs that absorb the formal duties of the CITPG.
   d. Recommend that the new ITAGs that absorb the formal duties of the CITPG provide reports to each of the Senates when requested.

4) Technology Enhanced Learning Committee (TELC):
   a. Recommend that the University Senate dissolve the TELC.
   b. Recommend that the University Senate Executive Committee assist in reassigning the formal duties of the TELC to various ITAGs in the new system.
   c. Recommend that the University Senate appoint members to the new ITAGs that absorb the formal duties of the TELC.
d. Recommend that the new ITAGs that absorb the formal duties of the TELC provide reports to the University Senate when requested.

5) Technology Fee Advisory Committee (TFAC):
   a. Recommend that the Provost maintain the TFAC but modify it somewhat to be better aligned with the new IT committee system.
   b. Recommend that the Provost modify the TFAC membership rules so that three student TFAC members are appointed by the ITAG for Student Issues and three student members are appointed by the Student Senate.
   c. Recommend that the Provost modify the TFAC membership rules so that the three faculty TFAC members are appointed from the membership of the ITAG for Teaching and Learning.
   d. Recommend that the Provost and the TFAC refer major issues (e.g., non-public computer lab support) related to allocation of technology fee funds to the IT Council or to various ITAGs for discussion and clarification.

6) Acceptable Use Review Committee (AURC):
   a. Recommend that the AURC be continued.
   b. Recommend that the AURC submit information related to IT security and acceptable use policies to the IT Council when appropriate.

7) Center for High-Performance Computing Advisory Council (CHPC Advisory Council):
   a. Recommend that the Vice President for Research, Creative Activities and Technology Transfer ensure that CHPC Advisory Council be more closely integrated with the overall IT committee system.
   b. Recommend that the CHPC Advisory Council be considered a sub-committee of the ITAG for Research.

8) College and Departmental IT Committees (including the Agriculture IT Advisory Group):
   a. Recommend that the ITAGs and IT Council strive to ensure that College and Departmental IT committees be integrated as much as possible with the overall campus IT committee system in order to enhance representation and communication.
   b. Recommend that, when appropriate, College and Departmental IT Committees be considered by the IT Council for official ITAG status.
IX. Charge Item 7:  
Recommend a process and timeline for making changes in the NDSU IT committee system

This Report will be submitted to the Provost/VPAA. While further action will be the purview of the Provost/VPAA, it would seem appropriate to distribute the Report to the President, the Cabinet, the President’s Council, the University Senate, the Staff Senate, and the Student Senate for information. Endorsement of the Review Team’s recommendations by the President, Provost/VPAA, and Cabinet is essential, while endorsement by other campus groups is highly desirable.

If the recommendations in the Report receive sufficient endorsement, work could begin during Spring Semester 2006 to implement the new committee system. It would be most efficient to have the CIO provide leadership for the process with assistance from the ITS leadership team. To help with the process, it would also be useful to create a small temporary implementation advisory group containing some members from the current Review Team and representatives from the Executive Committees of the University Senate and the Staff Senate. The implementation process would require (at least) the following activities:

1) Create an IT Council (ITC):
   a. Define a charge for the ITC
   b. Define operating and decision making guidelines for the ITC
   c. Seek member appointments from the President and Provost
   d. Convene the ITC
   e. Draft By-laws for the ITC

2) Create IT Advisory Groups (ITAGs) for Teaching and Learning, Research, Standards and Infrastructure, Information Systems, and Student Issues:
   a. Define charges for the ITAGs
   b. Assign ITS staff member(s) to participate in and provide administrative support for each ITAG
   c. Define operating and decision making guidelines for the ITAGs
   d. Seek member appointments from Colleges, administrative units, and Senates
   e. Invite members of the campus community to submit nominations for the at-large ITAG seats
   f. Convene the ITAGs and elect a Chair of each group
   g. Appoint the ITAG Chairs as members of the ITC
X. Conclusion

This document outlines a set of recommendations and actions to enhance NDSU's IT committee system. This will help the University develop and sustain an exemplary IT environment that will support the University’s strategic aspirations to be a premier metropolitan land-grant institution. The Review Team worked diligently to design a system that would make sense for NDSU at this particular time in its history. The Team understands that the recommendations suggest significant changes from current practices and that such actions are institutionally difficult. Therefore the Team strongly encourages the campus leaders to study this material closely and objectively. The Team members believe that the steps recommended in this report are necessary for NDSU to become the kind of Next Level institution it aspires to be.

On behalf of the University, the Chair wishes to sincerely thank the Team members for their cheerful cooperation and hard work on this project. The intelligence and creativity displayed by the Team members made a difficult task both successful and stimulating.
North Dakota State University

Dates of these diplomas: December 16, 2005

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SECTION 151.1: EXTERNAL ACTIVITIES AND CONFLICTS OF INTEREST (DRAFT)

SOURCE: SBHE Policy Manual, Section 611.4
Office of Provost and Vice President for Academic Affairs

(Note: This draft policy is being circulated to University Senate for input. The content of current NDSU Policies 151: Conflict of Interest, and 152: External Professional Activities, overlaps with some of the following content, and would need revision for compatibility and complementarity.)

I. PHILOSOPHY AND NEED

A. Beyond the traditional academic responsibilities of teaching, research, and service, and in response to the rapidly changing external realities, universities and their employees are increasingly involved in external activities*, including economic development, technology transfer*, consulting*, and other types of public service.

B. North Dakota State University recognizes the need, and actively encourages its employees, to participate in sponsored activities* and external activities as an important component of its land-grant mission. NDSU also recognizes that this may create conflicts of interest and/or commitment with traditional academic responsibilities. An investigator’s* engagement in sponsored and external activities is subject to the principles that:

1. Full-time employees have as their primary responsibility their professional obligation to NDSU.

2. Employee conduct must conform to the highest standards of professional integrity and ethics, thereby avoiding even the appearance of impropriety.

*These and other terms marked with an asterisk are defined in Section XIII, Definitions.

II. PRIMARY DEFINITIONS

A. A Conflict of Interest is said to occur or exist when:

1. An NDSU employee is involved in an activity, commitment or interest that may adversely affect, compromise, or otherwise be incompatible with the obligations that the employee has to NDSU; or,
2. The University is influenced in such a way as to lead to improper financial gain for either the University, its employee, the employee’s immediate family*, or for others; or,

3. The employee’s involvement in, and/or commitment to, external activities interferes with the employee’s primary obligations to his or her students, colleagues, and the institutional mission.

B. Conflicts of Commitment primarily relate to an employee’s distribution of effort between obligations to an academic appointment and commitments to external activities. Conflicts of commitment may also occur or exist when professionally related external activities of the employee are so substantial or demanding of the employee's time and attention as to interfere or appear to interfere with the employee's responsibilities to NDSU, to the unit to which the individual is assigned, or to the students.

III. GUIDING PRINCIPLES AND MAJOR CONSIDERATIONS: INSTITUTIONAL

A. Institutional Approval. Institutional approval must be obtained prior to engaging in any external activity in which there is a potential or actual conflict. Full-time NDSU employees owe their primary loyalty and professional commitment to the institution during the terms of their employment. They must not neglect their university responsibilities to seek financial interest or advantage for themselves, their immediate families, their close associates, or a business over which they or their families have a direct or indirect financial interest. Any commitment of time and effort to serve another institution, agency, or industrial organization other than NDSU, therefore, should be made only after satisfying an employee’s primary commitment to NDSU.

1. Where potential for conflict exists, it must be disclosed, analyzed, and dealt with immediately and directly. Although not all conflicts can be prevented or avoided, failure to disclose, properly supervise, or manage an identified conflict will constitute a violation.

2. Conflicts of interest may be categorized as

   a. Clearly allowable.

   b. Allowable after disclosure, review, approval and oversight.

   c. Not allowable or prohibited.

B. Institutional Encouragement. When a relationship enhances the professional skills of NDSU employees or constitutes public service, interactions
involving service, consulting, and research activities between institutional employees and external entities for reasonable periods of time and for personal remuneration are acceptable and encouraged.

(The reasonableness of time allowable will vary among individuals, discipline, and activity, and will be affected by specific departmental or unit needs).

C. Institutional Benefit. Participation by NDSU employees in activities that serve the interests of NDSU is encouraged, where such participation affords experience and exposure to the individual, and accrues standing to NDSU. Donation of professional services to external organizations and professional societies, and serving as officers of such societies for reasonable periods of time without substantial allocation of NDSU resources, is encouraged.

D. Institutional Resources. NDSU permits the use of its facilities, space, equipment, or support staff for external activities. If a substantial allocation of NDSU resources is required to support an external activity, a prior written financial arrangement must be agreed upon that adequately compensates NDSU for their use.

E. Confidentiality of Disclosure Information. NDSU will assure the confidentiality of individual disclosure information to the extent possible under applicable state and federal requirements and/or the North Dakota Open Records Act. Whenever requests for such information are requested by any external entity, the individual will be notified.

IV. GUIDING PRINCIPLES AND MAJOR CONSIDERATIONS: EMPLOYEE

A. Employee Disclosure. As a public institution, NDSU must possess sufficient information and control to discharge its obligations of public accountability and responsibility. NDSU employees have the responsibility to report promptly and in sufficient detail, all activities that may involve actual or potential conflicts. Regular, timely, and full disclosure is a key element in this policy and is necessary to identify, resolve, or manage any actual or potential conflict of interest situation. The requirement of disclosure cannot be waived by any university employee.

B. Employee Obligations. When arranging relationships with external agencies, NDSU employees are expected to make known their NDSU obligations. Where appropriate, they should provide copies of relevant NDSU policies to their contracted entities and inform the external agencies that their work is contracted in their individual capacity and does not in any way represent NDSU. Listing of an employee’s institutional affiliation in public or commercial documents, especially those that draw attention to the employee’s availability for compensatory work, is therefore considered violation of this policy.
C. Academic Freedom. NDSU employees are free to choose the subject matter and strategies of their individual teaching and research activities on the basis of scientific or scholarly criteria, insofar as they are unencumbered by external commitments.

D. Freedom to Publish. Subject to limited delays to permit filing of document(s) to protect intellectual property* or findings, as in a patent application, NDSU will vigorously ensure its employees' free and open dissemination of information including the right to publish.

(See also NDSU Policy regarding Classified Research, Policy 344)

E. Accountability for Review. NDSU expects that responsible individuals will exercise their duty and responsibility, at all levels of review and action, to evaluate carefully all potential conflict situations disclosed or known to them before acting to approve or disapprove the same.

F. Time Commitment. NDSU will allow an average of up to one day per week (40 days for academic year and 52 days for calendar year appointments) within the contract period for acceptable and approved external professional activities (Policy 152). This released time, subject to unit needs, is not an automatic entitlement but is approved at the administrative head's discretion. Such released time is not available for:

1. Activities or businesses that are purely personal in nature.

2. Activities that are neither related nor contribute to the advancement of the employee's professional skills.

3. Activities, which do not provide an opportunity for professional growth.

V. SPECIFIC RESPONSIBILITIES (See also NDSU Policy 151: Conflict of Interest)

A. NDSU employees are required and expected to take the initiative to report promptly and in detail to the administrative head of their units, for prior written approval, all activities or situations which may involve, or appear to involve, a conflict of commitment, a conflict of interest, or an incompatible obligation* or commitment, and to respond to inquiries from the administrative head in connection with any such report. The mere existence of a conflict, real or potential, however, will not necessarily preclude a particular activity.

B. Administrative heads of units* have the duty and responsibility to evaluate carefully all potential conflict situations reported or known to them before acting...
to approve or disapprove the same. As a public institution, NDSU is expected to possess sufficient information and control to discharge its obligations of public accountability.

1. In a specific conflict situation, it may be appropriate for the administrative head to inquire into a number of factors, including

   a. the extent of time commitment to external entities and income derived by academic staff member from consulting activities;

   b. the extent of financial or other interest the academic staff member or staff member's family have in external entities;

   c. the extent to which such financial or other interests may influence or affect the entities' general policy or specific decision.

2. Careful scrutiny is called for when

   a. the employee's acquisition of financial interests or assumptions of external executive or administrative responsibilities appear to be in conflict with the employee's duties and obligations to NDSU;

   b. activities may influence research or business decisions in ways that could lead to the employee's direct or indirect personal financial gain, or give improper advantage to the employee's immediate family, associates, or others.

In such circumstances, if the proposed activities are to be approved, appropriate control mechanisms must be established and reduced to writing, and be subject to continuous review and monitoring. Such monitoring may include, among other requirements appropriate to the circumstances, higher administrative level review of expenditures (including those for travel), periodic detailed reviews of programmatic objectives and progress, removal of the affected employee from decision making authority, or granting a leave of absence without pay when the external commitment is inappropriate to the employee's University duties or responsibilities.

Provision might be made for consulting authorization request approval process, whereby if the duration of the activity is longer than one year, or is indefinite, indeterminate, occasional or ongoing for a period longer than one year, for the authorization to be renewed annually through electronic correspondence, provided there are no material changes to
the original activity. Substantial changes to the activity would require formal reauthorization.

3. External activities must be approved in advance through established review procedures to ensure that the proposed research conforms to the academic, administrative, fiscal, legal, space utilization, and other policies of NDSU, and that it does not conflict with the rights of others at NDSU or with other University commitments. Research agreements with external sponsors must maintain basic academic values and must not promote a secrecy that will harm the development of knowledge, impair the educational experience of students or postdoctoral fellows, diminish the role of NDSU as a credible and impartial resource, interfere with the choice by employees of the scientific or scholarly subjects they pursue, or divert an employee's energies or NDSU resources from primary educational and research missions.

4. Those situations are to be avoided or remedied in which academic staff members, through use of their University positions or by their conduct, may be tempted to disregard the interests of the University and its students, or to dilute or divert their attention from their NDSU responsibilities in order to seek direct or indirect advantage for themselves, their families, or close associates, or exert sufficient influence over a business to be able to affect its general policy or specific decision.

VI. DISCLOSURE

A. The policy on disclosure is the key mechanism to identify potential conflict(s) of interest and commitment for further evaluation, oversight, and remediation. Usually, and most importantly, this will involve financial disclosure*. For situations subject to review and approval, an NDSU employee shall submit a request in writing, explaining all pertinent circumstances, to the administrative head of the unit in which he or she is employed. Items that need consideration in the written request may include:

1. Listing any consulting relationship, managerial role, or a significant financial interest* in a company that does business with the University;

2. Listing any consulting relationship, managerial role, or a significant financial interest in a company that is involved with or sponsors activities related to the field of research and or service;

3. Listing any non-University income-producing activities that involve NDSU students or other staff.
B. If an actual or potential conflict of interest is not believed to exist, the reviewing authority will complete the Administrative Review Form. One copy each will be returned to the individual submitting the form, forwarded to the respective Vice President, and retained on file with the Administrative Head. The action requested may be approved, provided it is in compliance with all other University policies and procedures.

C. If an actual or potential conflict of interest is determined to exist, there are three options. These include:

1. Permitting the requested action or activity.
2. Attaching conditions to the approval.
3. Prohibiting the activity.

D. If the administrative head believes that an actual or potential conflict of interest situation exists, he or she shall refer the matter to the appropriate Vice President. The Vice President shall exercise his or her authority to approve, disapprove, or approve with conditions any actual or potential conflict of interest, or refer the matter to the Conflict of Interest Advisory Committee (CIAC; see Section IX) for recommendation. Where special arrangements to accommodate an actual or potential conflict of interest are desired, they shall be reduced to writing, on the basis of which the Vice President may appoint an individual to monitor the approved arrangement.

E. The Vice President shall indicate his or her decision on the Administrative Review Form, copies of which will be forwarded to the individual submitting the request, the initial reviewing authority, and filed with the office of the Vice President.

VII. CONFLICTS INVOLVING ADMINISTRATORS

In the case of potential conflicts of interest involving administrators at the level of dean, director, or higher, initial disclosure shall be made with the appropriate Vice President, who shall then make a recommendation consistent with policy, and who may exercise the option to make the final decision. Disclosures for Vice Presidents shall be filed with the President, who shall have the final approval authority, but who may also consult with CIAC for its recommendation.

VIII. UNIVERSITY REVIEW OF SPONSORED ACTIVITIES*

Any sponsored program agreement between the University and external sponsor(s) must be authorized in advance through established University review procedures to ensure conformity of the proposed activity to the academic, administrative, fiscal, space
utilization, and other policies of the University. In addition, such an agreement must not conflict with the rights of other University scholars, with other University commitments, or with the basic academic values of the institution.

IX. REVIEW AND APPEALS

A Conflict of Interest Advisory Committee (CIAC) shall be established, comprised of five members recommended by the University Senate and appointed by the President of the University Senate. The Committee shall serve as an advisory body to the University administration on conflict of interest issues, and shall also hear appeals of decisions in conflict of interest cases.

If an activity is subject to restrictions or prohibited, the employee concerned may request a hearing by the CIAC. After the written request is received by the President of the University Senate, the CIAC should meet with the appellant within 15 working days. If a member of the CIAC has any personal or working relationship with the appellant, that member should recuse him or herself and be replaced by another member appointed by the President of the University Senate. More than one meeting may be scheduled to decide the case, if necessary.

The appellant has the right to call any witnesses and produce any evidence that could bear on a recommendation to allow the activity, as well as to have an advisor accompany him/her to any committee deliberations. The committee, however, will come to its conclusions and write its final recommendations in private. The recommendation to either uphold or change the original decision shall be sent to the appropriate Vice President. If the committee finds that the original decision should be upheld, then a final appeal may be made to the President of the University. If the recommendation is to change the original decision, the Vice President shall take appropriate action as he or she deems fit. All records of the proceedings shall be maintained on file in the office of the appropriate Vice President for three years. A copy of the final recommendations shall be provided to the appellant.
X. VIOLATIONS

Violation of this policy shall be subject to disciplinary procedures, including sanctions up to and including suspension and termination of employment at the University. In addition, any NDSU employee who has received financial benefit from transactions in violation of this policy shall be liable for repayment (to the appropriate entity) of all financial benefits resulting from such violation. Compliance with this policy may also be enforced through the exercise of administrative oversight of funded research and management of NDSU facilities and other property. Such enforcement measures may include, but not be limited to:

A. freezing research funds or accounts.

B. rescinding contracts entered in violation of this policy or state law.

C. bringing legal action for restitution to the appropriate entity or entities of the amount of financial benefit received by the NDSU employee as a result of the employee’s violation of this policy.

XI. APPLICABILITY

This policy applies at all times to all full and part-time NDSU employees with regard to use of university name, property, and equipment.

(Exceptions to areas of applicability need to be negotiated with the administrative head, appropriate Vice Presidents, and the Provost and VPAA at the time of hire.)

XII. EXAMPLES OF CONFLICT OF INTEREST SITUATIONS

Conflict of Interest situations are not always easy to identify. This section categorizes and identifies activities that have differing potentials for presenting a risk. The list below represents examples of possible conflict situations that may be of some concern and is not meant to be exhaustive. Each situation, therefore, calls for an analysis of the potential benefits and risks. The administrative head or the CIAC must decide if the benefit is worth the risk.

A. In general, potential conflict situations fall into five areas:

1. adverse effects on educational programs;

2. bias/subversion of research agendas;

3. unreasonable impairment of the flow of information/knowledge;
4. misuse of NDSU resources and facilities for private gain; and

5. theft and or misuse of NDSU intellectual property.

B. Potential conflict situations/activities may also be categorized as:

1. clearly allowable;

2. allowable after disclosure, review, approval, and oversight;

3. not allowable or prohibited.

C. Activities that are clearly allowable

1. Activities in this category have very low potential for conflict of interest. Participation does not require disclosure and is allowable if it is consistent with other NDSU policies such as those regarding time commitment and the employee’s ability to meet job obligations. Examples of such activities include, but are not exclusive to:

   a. Acceptance of royalties and honoraria for published scholarly works and intellectual property (if disclosed to and managed by NDSU or the NDSU Research Foundation), occasional lectures, commissioned papers, and creative works;

   b. Acceptance of honoraria or payment for service as a special reviewer or service on a review panel for academic, government, and not-for-profit entities

   c. Acceptance of royalties under NDSU or another academic institution’s royalty policies insofar as the employee does not have any other relationship with the royalty-granting entities.

(See NDSU Policies 323, 323.3.1, and 152.4.3 for exceptions and exclusions to receiving honoraria and royalties.)

2. In such cases, the use of NDSU property or facilities is acceptable, if the use of such property or facilities has a legitimate relationship to the University employee’s responsibilities, provided such use is not significant. No disclosure or approval is required in these situations by this policy, although individual administrative units may have their own approval or
scheduling procedures. Examples include using institutional resources to author a book, host a meeting, conduct research related to one’s disciplinary field(s), or to serve a professional organization as an officer.

3. In such cases, it is acceptable to utilize institutional employees (e.g., research assistants, secretaries, work study students) to provide assistance, provided the work activity is in keeping with the responsibilities of both parties, does not interfere with the performance of their primary activities, and does not result in significant additional costs to the University. This policy does not require any disclosure, other than intellectual property disclosures as required by policy, or approval process, although individual administrative units may require reporting and approval.

4. In such cases, it is acceptable for employees to acknowledge an affiliation with NDSU, provided this identification is accurate, is not used as part of any endorsement or promotional activities for business or personal gain, and is in keeping with the actual roles and responsibilities at the University (Policy 700.1). University personnel may use University stationery for activities that are related to their assigned University responsibilities. Such identification does not imply, however, that the employee is acting in anything other than in his or her individual capacity.

D. Activities that may be allowable after disclosure, review, oversight, and approval

1. Activities in this category have minimal-to-moderate potential for conflict of interest. These activities may be allowable after disclosure and appropriate review, provided prior administrative approval is obtained. Where appropriate or necessary, conditions or provisions for oversight may be imposed. Examples of such activities include, but are not exclusive to

   a. Any ownership or majority control in a commercial enterprise that conducts activities closely related to the employee’s area of academic work;

   b. Holding an executive position in a commercial (private or public) enterprise or participation in the day-to-day operation of an enterprise directly related to one’s University responsibilities;

   c. Assuming a “key” continuing consulting role in an enterprise (including serving as a director of a company);
d. Consulting for additional compensation (e.g., providing services to individuals or firms, presenting educational programs sponsored by private firms or independently by faculty members) through approval (see Policy 152, Request for Approval);

e. Situations in which the time or creative energy devoted to external activities appear substantial enough so as to compromise the amount or quality of the employee’s participation in the instructional, scholarly, or administrative work of the University;

f. Situations in which a faculty member directs students in a research area from which the faculty member may realize a financial gain, thereby diminishing the faculty member’s ability to render objective, independent judgment on the student’s efforts;

g. Conducting research for any commercial entity.

2. In such cases, approval is required for the use of University resources and facilities that lie outside usual work responsibilities that result in clearly identifiable additional costs to the University. Approval of such situations will generally be conditional on reimbursement of costs. The executive head of the administrative unit in which the activity occurs must approve exceptions to the requirement for reimbursement. Examples include writing a book for outside compensation, hosting a conference, giving private lessons, performing research utilizing University research instruments for an external entity, or serving as an editor for a journal.

3. In cases where an activity will personally benefit the recipient, approval is required for the use of the services of other University employees. If the costs are more than trivial, approval shall only be granted if the requested services are in keeping with the usual University activities of both employees, and the activity is in keeping with the mission of the University.

4. Approval must be granted for student involvement in research activities that have the potential to substantially benefit a business entity in which a University employee has a significant financial interest.

5. Restrictions on publication rights that may adversely impact the fulfillment of degree requirements are permitted only to the extent reasonably necessary to obtain protection of intellectual property rights if they do not prevent publication of student research in a timely manner. In such instances, the student must be
informed of the limitations prior to commencing the work and must agree in writing to those limitations.

E. Activities that are clearly prohibited

1. Activities in this category pose such serious conflicts with University policy and such high potential for abuse that they cannot be allowed under any circumstances, and are subject to disciplinary action in accordance with NDSU Policies and Procedures. Examples include, but are not exclusive to:

   a. Any circumstances in which a substantial body of research or services that could and ordinarily would be carried on within the University is conducted elsewhere to the detriment of the University and its legitimate interests.

   b. Any activity outside the purview of the University that

      i. involves or appears to involve the University significantly through the use of its resources, facilities, or the participation of academic colleagues, students, and staff;

      ii. involves the use of the University’s name or implied endorsement; or

      iii. violates any of the principles set forth in the University Research Policy 805 (for example, giving the outside organization the right to censor or prohibit publication rights for research any part of which is performed under University auspices).

   c. Any use for personal profit of unpublished information or data emanating from sponsored activity or confidential University sources, or assisting an outside organization by giving it exclusive access to such information.

   d. Consulting with outside organizations that impose obligations upon the faculty member or the University that conflict with the faculty member’s or University Intellectual Property Policy or with the University’s obligations under sponsored activity.

   e. Any use of the University’s name in connection with private activities in a manner that inappropriately suggests that the University endorses, sponsors, promotes, advertises, or approves the activities or views of the faculty or staff member.
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Attachment 5

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f. Any evaluation of junior faculty, staff, or students based on participation in (or refusal to participate in) outside activities involving business entities in which the evaluating faculty member has a significant financial interest.

g. Any assignment of students to research and or creative activities that involve secrecy or confidentiality requirements beyond best institutional practice.

h. Any use of uncompensated student labor for research or creative activity outside of the University that will result in personal gain for the supervising University employee.

i. Any use of the services of University employees for personal gain such as answering telephones for a private business, typing reports, or conducting research activities or accepting personal compensation for work performed by university employees for external activities.

j. Any conduct of library research by librarians on a product/technology for personal gain, or any use of University facilities or resources for personal financial gain or conducting a private business and using University supplies for non-university activities.

k. Any use of University employees and students, on University time and without reimbursement, for work motivated primarily by commercial concerns or intended to benefit a business entity in which the University employee has a significant financial interest.

l. Any soliciting or receiving, either by the University employee or a member of his or her immediate family a gift, compensation, loan of money, or a non-pecuniary gift, the value of which exceeds the amount permitted by state law; any soliciting or receiving of remuneration from a person or business entity that is an actual or potential provider of goods or services to the University, in connection with any transaction between the University and any persons or business entity, or under circumstances where it would tend to influence the University employee’s performance of his or her University duties.

m. Any use of university resources (databases, subscriptions, tools, software, etc.) for personal gain or for the gain of a business in which the employee has an interest.

XIII. DEFINITIONS

A. **External Activities** are defined as activities (e.g., consulting) in which an outside organization or entity provides remuneration directly to the faculty
member who, in turn, provides a service directly to the entity. There is no direct university involvement except the employment of the faculty/staff member.

B. **Incompatible Obligation** is defined as any agreement

1. between an NDSU employee and an external entity which is incompatible with the employee's obligations to NDSU;
2. which unduly restricts or impairs the employee's ability to perform research or other activities at NDSU;
3. which results in the transfer or compromise of existing or potential NDSU rights in intellectual property;
4. which utilizes NDSU resources without prior written approval of the appropriate University official or designee.

C. **Immediate Family** is defined as the spouse, parents, siblings, dependent children, and children in a University employee's household (see also under Investigator).

D. **Administrative Head of a Unit** is defined as a department chair or head, dean, director, vice president, president, or equivalent officer who has primary authority for administering an administrative unit.

*(If a conflict exists for an administrative head of a unit, the matter shall be referred to the next level of administrative authority in the normal reporting lines.)*

E. **Sponsored Activity** is defined as research, training, instruction, construction, and service projects involving funds, materials, or other compensation from outside sources (sponsor) under agreements that contain any of the following:

1. the agreement binds NDSU to a line of scholarly or scientific inquiry or service that is specified to a substantial level of detail;
2. a line-item budget is involved which details expenses by activity, function, or project period;

*(The designation of overhead [indirect costs] qualifies for inclusion in a budget as "line-item")*

3. financial reports are required, as also progress, technical, and other reports as appropriate;
4. the award is subject to external audit;
5. unexpended funds must be returned to the sponsor at the conclusion of the agreement;

6. the agreement provides for the disposition of either tangible (buildings, equipment, records, technical reports, theses, or dissertations) or intangible (rights in data, software copyrights, or inventions), or patent, patent applications, or other intellectual property that may result from activity.

F. Investigator is defined as the principal investigator, co-investigator, and any other person at the institution who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by an external sponsor.

(As it relates to financial interests, "Investigator" also includes the investigator's immediate family.)

G. Significant Financial Interest is defined as

1. Anything of monetary value, including, but not limited to, salary or other payment for services (e.g., consulting fees or honoraria);

2. Equity interests (e.g., stocks, stock options, or other ownership interests);

3. Intellectual property rights (e.g., copyrights, trademarks, patents, PVP, and royalties for such rights).

4. The term does not include:

a. Salary, royalties, or other remuneration from North Dakota State University the NDSU Research Foundation if such payments have not originated with the sponsoring agency;

b. Income for seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;

c. Income from service on advisory committees or review panels for public or nonprofit entities; or,

d. Financial interests in business enterprises or entities if the value of such interests (industry equity interests, salary, fees, or other continuing payments) does not exceed $10,000 per annum or represents more than 5% ownership interest for any one enterprise or entity when aggregated
for the investigator, the investigator's spouse, and dependent children.

H. **Financial Disclosure** is defined as the formal filing of information with a designated NDSU administrator, disclosing any direct and indirect financial interests that the employee, or spouse, or any dependent(s) has in the sponsor of a sponsored activity for which the filee is serving or will serve as an investigator.

I. **Intellectual Property** is defined as any ideas, inventions, technology, biological organisms, software, creative expression (and derivatives thereof), in which a proprietary interest may be claimed including, but not limited to, patents, patent applications, copyrights, trademarks, data sets, know-how, show-how, and biological materials.

J. **Consulting** is defined as a professional activity related to the University employee's academic field or discipline that involves a fee-for-service or equivalent relationship with a third party.

(In consulting, the employee agrees to use his or her professional capabilities to further the interests of a third party in return for compensation. See also NDSU Policy regarding Professional Service with Remuneration [Consulting], Policy 152.5)

K. **Technology Transfer** is defined as (and includes) any license, assignment, or conveyance of any legal or equitable interest in intellectual property that is owned by NDSU, or the NDSU Research Foundation including but not limited to, the right to make, market, copy, sell, or use such property in any way.
University Senate Bylaws Revision

Consent Agendas

Part VII

Section 10. Agenda

The agenda for each regular meeting shall be prepared by the secretary of the Senate and distributed to faculty, staff representatives, and student members of the Senate, as well as the student newspaper and the University Archives in the North Dakota State University Libraries one week before each meeting. Items may be placed on the agenda by any member of the Senate. The consent agenda shall consist of any routine or non-controversial matters the Executive Committee or Senate President (presiding officer) adds to the consent agenda. When matters on the consent agenda are called up, they may be considered in gross or without debate or amendment. If one or more senators object to an item on the consent agenda, then it will be removed from the consent agenda to be restored to the ordinary process by which it is placed in line of consideration on the regular agenda. The order of business for a Senate meeting shall be as follows:

1. Approval of the minutes of the previous meeting
2. Announcements
3. Consent Agenda
4. Committee reports
5. Unfinished business
6. New business
7. Adjournment


**Previous Minutes**

Minutes of the March 20, 2006, meeting were approved with unanimous consent.

**Consent Agenda**

MOTION (Reimnitz/Berry) to approve, via the consent agenda, the reports and recommendations of the following committees:

A. Academic Affairs – R. Pieri (Attachment 1)

B. General Education – M. Christoffers (Attachment 2)

C. Policy Coordinating Committee - Information Items
   1. Section 149: Leave Without Pay
   2. Section 153: Smoke-Free Facilities
   3. Section 230: Grievance Procedures for Conditions of Employment

MOTION TO APPROVE CONSENT AGENDA PASSED WITH UNANIMOUS CONSENT.

**General Announcements**

1) President Chapman:

- Thanked the NDSU community for its outpouring of support prior to and since his decision to remain at NDSU.

- MGT Report-Equity Study—This published report has been debated significantly. MGT originally recommended that NDSU add agencies into its budget. However, by law, we can not use agency funding for instruction. Thirty-six percent of
NDSU’s total budget is in agencies, which inflates the budget, but doesn’t resolve funding shortfalls for students, instruction, etc.

- Changes are occurring with ConnectND. Currently, all ND institutions are treated the same due to the structure and setup of ConnectND. Research universities have unique needs, missions and organizational structures. Therefore, we would like to be considered separately in terms of setup and abilities in order to accomplish the things we need to do to conduct business. Interviews are being conducted with individuals who have worked with other diversified state systems that have utilized PeopleSoft. Change in leadership should result in changes to how the University System and ConnectND are organized in the future.

2) **J. Council, President of University Senate:**

- Preliminary results from the faculty service survey to chairs and deans were shared. A full report will be presented at the May meeting.

- Nominations are being sought for A. Burnett’s replacement on Council of College Faculties (CCF). Nominations may be submitted to President Council. He will prepare an email voting system for the faculty.

- Nominations also are being sought for the 2006-07 University Senate President-Elect position. Submit nominations to President Council, and a vote will be held at the May University Senate meeting.

3) **D. Cooley, Parliamentarian:**

‘Previous Question: Definition and Characteristics’ was the topic of the monthly parliamentary tutorial. ‘Previous question’ is used to bring questions to an immediate vote. (The full tutorial is posted on the University Senate web site at http://www.ndsu.edu/ndsu/deott/univ_senate/).

4) **Development Foundation - Momentum Campaign:**

Campaign materials were distributed to senators. Contributions from outside sources have exceeded expectations. President Chapman commented that many outside donors have asked about the giving rates on campus. The focus now is to show that NDSU faculty and staff are willing to invest in themselves. The goal is to raise faculty giving to above 33%.

**Unfinished Business**

1) **Bylaws revisions:**

- Include Distance and Continuing Education on University Assessment Committee
MOTION (D. Miller/Reimnitz): to insert in Part IX, Section 12.1 (pertaining to membership):

“...a representative from the Division of Distance and Continuing Education...”

MOTION CARRIED WITH A VOTE OF 58-2. The following senators or their substitutes voted aye: Ambrosio, Andersen, Askelson, Bahrami, Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Danbom, Duncan, Esslinger, Filpus, Garden-Robinson, Grafton, Gross, Gustafson, Hageman, Harvey, Hauck, Hopkins, Howatt, Kallmeyer, Klenow, Knoepfle, Langley, Little, Manikowske, Miller, E.J. Miller, Montgomery, Neate, Ostlie, Panigrahi, Pinkston, Presser, Randall, Ransom, Rasmussen, Redmer, Reimnitz, Rider, Riley, Robinson, Rogers, Schnell, Schwert, Scott, Smith, Sperl, Steele, Teigen, Trowbridge, and Wittrock. The following senators or their substitutes voted no: Hannon and Sun.

• Consequent to the endorsement of the IT Reorganization Report and Recommendations at the March 20, 2006, meeting, the following two University Senate Standing Committees were recommended for dissolution:

A)  Computing and Information Technologies Planning and Goals Committee:

MOTION (Teigen/Reimnitz): to dissolve the Computing and Information Technologies Planning and Goals Committee (Part IX, Section 15). MOTION CARRIED WITH A VOTE OF 60-1. The following senators or their substitutes voted aye: Ambrosio, Andersen, Askelson, Bahrami, Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Danbom, Duncan, Esslinger, Filpus, Garden-Robinson, Grafton, Gross, Gustafson, Hageman, Harvey, Hatterman-Valenti, Hauck, Hopkins, Howatt, Kallmeyer, Klenow, Knoepfle, Langley, Little, Manikowske, D. Miller, E.J. Miller, Montgomery, Neate, Ostlie, Panigrahi, Pinkston, Presser, Randall, Ransom, Rasmussen, Redmer, Reimnitz, Rider, Riley, Robinson, Rogers, Schnell, Schwert, Scott, Smith, Sperl, Steele, Sun, Teigen, Trowbridge, and Wittrock. Senator Hannon voted no.

B)  Technology Enhanced Learning Committee:

MOTION (Coykendall/Berry): to dissolve the Technology Enhanced Learning Committee (Part IX, Section 18). MOTION TO APPROVE MOTION CARRIED WITH A VOTE OF 60-1. The following senators or their substitutes voted aye: Ambrosio, Andersen, Askelson, Bahrami, Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Danbom, Duncan, Esslinger, Filpus, Garden-Robinson, Grafton, Gross, Gustafson, Hageman, Harvey, Hatterman-Valenti, Hauck,

2) **Policy 407 – Auxiliary Exclusive Services (Attachment 3)**

E. Berry shared the Senate Executive Committee’s additional recommendations for change and clarification (included on the attachment).

MOTION (Knoepfle/Howatt): to approve policy 407 as amended. Vice President Prakash Mathew explained that departments identified in the policy are self-supporting and do not receive any state funding. This policy is intended to protect our own assets from exclusive contracts with outside agencies. State law prevents colleges and universities from competing off-campus. Mathew addressed questions and concerns related to policy impacts on small student organizations, violations of policy, and flexibility to students and organizations when outside of the Memorial Union. Many current facilities and upgrades, including the current Union remodeling project, have been funded by these self-supporting entities. According to Mathew, a certain level of professional judgment when making purchasing decisions is expected.

MOTION TO AMEND (Sperl/Beck): to increase the student organization number to 50 in item 2.5. MOTION TO AMEND CARRIED WITH A VOTE OF 45-13-2. The following senators or their substitutes voted aye: Ambrosio, Andersen, Bahrami, Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Duncan Benton, Esslinger, Gustafson, Harvey, Hatterman-Valenti, Hauck, Hopkins, Howatt, Kallmeyer, Klenow, Knoepfle, Little, Mallett, Manikowske, E.J. Miller, Montgomery, Neate, Ostlie, Panigrahi, Pinkston, Presser, Rasmussen, Redmer, Reimnitz, Rider, Rogers, Schwert, Scott, Smith, Sperl, Steele, Sun, and Trowbridge. The following senators or their substitutes voted no: Askelson, Danbom, Filpus, Garden-Robinson, Gross, Hageman, Hannon, Langley, D. Miller, Ransom, Robinson, Schnell, and Wittrock. The following senators abstained: Randall and Riley.

MOTION TO AMEND (Harvey/Coykendall): to change word ‘can’ to ‘does’ in item 3.0. MOTION TO AMEND CARRIED WITH A VOTE OF 36-23. The following senators or their substitutes voted aye: Ambrosio, Andersen, Bahrami, Balaz, Clark Johnson, Comez, Coykendall, Dai, Duncan, Garden-Robinson, Gustafson, Harvey, Hopkins, Howatt, Kallmeyer, Klenow, Little, Manikowske, E.J. Miller, Montgomery, Neate, Ostlie, Panigrahi, Presser, Rasmussen, Redmer, Reimnitz, Rider, Rogers, Schwert, Scott, Sperl, Sun, and Trowbridge. The following senators or their substitutes voted no: Askelson, Beck, Berry, Brooks, Christoffers, Danbom, Esslinger, Filpus, Gross, Hageman,
Hannon, Hatterman-Valenti, Knoepfle, Langley, Mallett, D. Miller, Pinkston, Randall, Ransom, Schnell, Smith, Steele, and Wittrock.

Brief discussion ensued on what would constitute a violation of this policy, impacts on ITS, and relationship building with the City of Fargo.

MOTION TO AMEND (D. Miller/Sperl): to change number of student organizations to 250 instead of 50 in item 2.5.  MOTION TO AMEND CARRIED WITH A VOTE OF 31-28-1.  The following senators or their substitutes voted aye: Ambrosio, Andersen, Berry, Comez, Coykendall, Duncan, Garden-Robinson, Grafton, Gross, Harvey, Hatterman-Valenti, Hauck, Langley, Little, Mallett, Manikowske, D. Miller, E.J. Miller, Montgomery, Panigrahi, Pinkston, Presser, Redmer, Reimnitz, Rider, Rogers, Schwert, Sperl, Steele, Sun, and Trowbridge.  The following senators or their substitutes voted no: Askelson, Bahrami, Balaz, Beck, Brooks, Christoffers, Clark Johnson, Dai, Danbom, Esslinger, Filpus, Gustafson, Hageman, Hannon, Howatt, Kallmeyer, Klenow, Knoepfle, Neate, Ostlie, Ransom, Rasmussen, Riley, Robinson, Schnell, Scott, Smith and Wittrock.  Senator Randall abstained.

Discussion continued on the integrity of a policy that may be violated, keeping jobs on campus, advisory board input on this policy, supporting a mutually beneficial relationship between students and auxiliary services, and the facilities and opportunities these funds have provided.

MOTION AS AMENDED CARRIED WITH A VOTE OF 51-9-2.  The following senators or their substitutes voted aye: Ambrosio, Andersen, Askelson, Balaz, Beck, Brooks, Clark Johnson, Dai, Danbom, Esslinger, Filpus, Garden-Robinson, Grafton, Gross, Gustafson, Hageman, Hannon, Harvey, Hatterman-Valenti, Hauck, Hopkins, Howatt, Kallmeyer, Knoepfle, Langley, Little, Mallett, Manikowske, D. Miller, E.J. Miller, Montgomery, Neate, Ostlie, Panigrahi, Pinkston, Presser, Ransom, Redmer, Reimnitz, Riley, Robinson, Rogers, Schwert, Scott, Smith, Sperl, Sun, Teigen, Trowbridge, and Wittrock.  The following senators or their substitutes voted no: Bahrami, Berry, Christoffers, Comez, Coykendall, Duncan, Randall, Rasmussen, and Rider.  The following senators abstained: Klenow and Steele.

3)  

Policy 151.1 – External Activities and Conflict of Interest (Attachment 4)

MOTION (Schnell/Coykendall).  Brief discussion was held on whether all significant collaborative works need to be approved.  MOTION CARRIED WITH A VOTE OF 59-1-1. The following senators or their substitutes voted aye: Ambrosio, Andersen, Askelson, Balaz, Beck, Berry, Brooks, Christoffers, Clark Johnson, Comez, Coykendall, Dai, Danbom, Duncan, Esslinger, Filpus, Garden-Robinson, Grafton, Gross, Gustafson, Hageman, Harvey, Hatterman-Valenti, Hauck, Hopkins, Howatt, Kallmeyer, Klenow, Knoepfle, Langley, Little, Manikowske, D. Miller, E.J. Miller, Montgomery, Neate, Ostlie, Panigrahi,
New Business

- **Commendations of the NDSU Student Body and President Chapman:**

  The University Senate commends the NDSU Student Body for their proactive and enthusiastic encouragement of the continuing presidency of Joseph A. Chapman. They have been instrumental in his decision to stay at NDSU.

  Further, the University Senate commends President Chapman for his past and future leadership as NDSU anticipates a future of even greater excellence.

  MOTION (Hatterman-Valenti/Filpus): to approve the commendations. MOTION WAS APPROVED WITH UNANIMOUS CONSENT.

Discussion

- **Policy 326 - Academic Misconduct (Attachment 5)**

  Provost Schnell reported that this policy was enacted in 1990 and has been used sparingly since. He summarized how allegations need to be made, and moved to a pre-evaluation stage, which may be followed by inquiry and investigation. Many agencies have similar policies, including NIH and NSF. Discussion continued on the distinction between recklessness, honest error, and deliberate plagiarism. The Senate also briefly discussed legal alternatives.

Adjournment

Meeting adjourned at 5:10 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary
### New Courses

<table>
<thead>
<tr>
<th>Dept.</th>
<th>No.</th>
<th>Title</th>
<th>Crs.</th>
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<tbody>
<tr>
<td>EMGT</td>
<td>730</td>
<td>Advanced Research Methods</td>
<td>3</td>
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<tr>
<td>ENGL</td>
<td>456/656</td>
<td>Literacy, Culture, and Identity</td>
<td>3</td>
</tr>
<tr>
<td>ENGL</td>
<td>476/676</td>
<td>Topics in American Literature</td>
<td>3</td>
</tr>
<tr>
<td>ENGL</td>
<td>483/683</td>
<td>Topics in British Literature</td>
<td>3</td>
</tr>
<tr>
<td>MN</td>
<td>760</td>
<td>Materials Synthesis and Processing: Synthesis and Processing Issues in Materials Design</td>
<td>3</td>
</tr>
<tr>
<td>NURS</td>
<td>407</td>
<td>Adult Health: Complex Problems</td>
<td>5</td>
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### Course Deletions

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<tr>
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<th>Title</th>
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<tr>
<td>BUSN</td>
<td>361</td>
<td>Marketing Management</td>
<td>3</td>
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<tr>
<td>EMGT</td>
<td>130</td>
<td>Principles of Emergency Management</td>
<td>2</td>
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<tr>
<td>EMGT</td>
<td>135</td>
<td>Emergency Planning</td>
<td>1</td>
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<tr>
<td>EMGT</td>
<td>167</td>
<td>State Hazard Mitigation Planning</td>
<td>2</td>
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<tr>
<td>EMGT</td>
<td>185</td>
<td>Disaster Response and Recovery Operations</td>
<td>2</td>
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<tr>
<td>HNES</td>
<td>722</td>
<td>Epidemiology in HNES</td>
<td>3</td>
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<tr>
<td>HNES</td>
<td>725</td>
<td>Funding Issues in Nutrition</td>
<td>3</td>
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<tr>
<td>HNES</td>
<td>744</td>
<td>International Food and Nutrition Problems</td>
<td>2</td>
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<tr>
<td>PHRM</td>
<td>579</td>
<td>Prescription Practice</td>
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### Changes in Course Prefix, Number, Title, and Credits

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<tr>
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<th>Crs.</th>
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<tr>
<td>ADFH</td>
<td>300</td>
<td>Design Resource Management</td>
<td>1</td>
<td>ADFH</td>
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<td>Design Resource Management</td>
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<td>BIOL</td>
<td>435</td>
<td>Hematology</td>
<td>2</td>
<td>CLS</td>
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<td>Hematology</td>
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<td>CDFS</td>
<td>777</td>
<td>Diagnosis and Assessment in Marital and Family Therapy</td>
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<td>CDFS</td>
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<td>Diagnosis and Assessment in Couple and Family Therapy</td>
<td>3</td>
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<tr>
<td>EMGT</td>
<td>621</td>
<td>Hazard Mitigation Theory and Practice</td>
<td>3</td>
<td>EMGT</td>
<td>721</td>
<td>Hazard Mitigation Theory and Practice</td>
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Review of General Education Courses

Approved General Education Recommendations

<table>
<thead>
<tr>
<th>Outcomes Key:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Communicate effectively in a variety of contexts and formats.</td>
</tr>
<tr>
<td>2. Locate and use information for making appropriate personal and professional decisions.</td>
</tr>
<tr>
<td>3. Comprehend the concepts and perspectives needed to function in national and international societies.</td>
</tr>
<tr>
<td>4. Comprehend intrapersonal and interpersonal dynamics.</td>
</tr>
<tr>
<td>5. Comprehend concepts and methods of inquiry in science and technology, and their applications for society.</td>
</tr>
<tr>
<td>6. Integrate knowledge and ideas in a coherent and meaningful manner.</td>
</tr>
<tr>
<td>7. Comprehend the need for lifelong learning.</td>
</tr>
</tbody>
</table>

Continued Approval (5-Year Renewal) for General Education with No Changes in Outcomes

<table>
<thead>
<tr>
<th>Course No.</th>
<th>Course Title</th>
<th>Categories</th>
<th>Outcomes</th>
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</thead>
<tbody>
<tr>
<td>ARCH 321</td>
<td>History of Architecture I</td>
<td>A, G*</td>
<td>1, 2, 6</td>
</tr>
<tr>
<td>BIOL 124</td>
<td>Environmental Science</td>
<td>Sn</td>
<td>5, 6</td>
</tr>
<tr>
<td>HD&amp;E 220</td>
<td>Individual and Family Wellness</td>
<td>W</td>
<td>2, 6</td>
</tr>
</tbody>
</table>

*Category G was inadvertently omitted from this course in the March 2006 GE report, approved by the Senate.*
**POLICY CHANGE COVER SHEET**

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

   **Section 407: Auxiliary Exclusive Services**

   New policy establishing auxiliary functions’ exclusive rights on campus as sole providers of their service on campus. Auxiliary services has become a significant source of revenue for University operations and it is in the University’s interest to support these services.

   Thus, the policy advances a policy of requiring use of those services by University Departments. It is not intended to interfere with NDSU employees spending their personal funds for personal purchases or services.

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

   - Policy Coordination Committee - 7/21/05; 8/18/05; 9/15/05; 11/17/05, 3/24/06
   - Staff Senate - 11/22/05
   - University Senate – 11/22/05
   - President’s Council – 9/05; 11/22/05

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

   VP for Student Affairs

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**SECTION 407: Auxiliary Exclusive Services**

**SOURCE:** NDSU President

1.0. Purpose: NDSU auxiliary functions (Dining Services, Wellness Center, Day Care, Student Health Center, Residence Life, Telecom and the Varsity Mart) have all invested heavily in infrastructure in order to serve NDSU. These entities also provide important local dollars to help support the University overall. It is in NDSU’s interest to support their functions.

2.0. Therefore, this policy establishes “exclusive rights to operate” for those identified auxiliary functions to be the sole providers of their services on campus. NDSU departments and NDSU related entities receiving services on NDSU property must follow this policy (provided that such services are not otherwise contracted out - see 3.0).

2.1. The FargoDome, Technology Park, Alumni Association/Development Foundation and Alumni Center are entities which are exempt when receiving services on their property as they are separate from the University. However, the functions of the Vice President for Research, Creative
Activities, and Technology Transfer are not exempt at the Research & Technology Park. Departments and NDSU-related entities are encouraged to use NDSU Auxiliary Services at the Research and Technology Park and the Alumni Center.

2.2. This policy does not apply to individuals purchasing products or services for personal use or to services which are a part of an academic class.

2.3. Departments and NDSU-related entities are encouraged, rather than required, to order their office supplies and equipment from the Varsity Mart.

2.4. This policy does not apply to services at the Alumni Center, but departments are encouraged to use NDSU Auxiliary Services at the Center.

2.5 Student organizations are considered “related entities” when receiving services in the Memorial Union or for any function on campus larger than 250 people when not in the Union.

3.0. Exceptions to this policy may be made with the approval of the affected auxiliary unit (or Dean of Student Life) or when the auxiliary unit does not provide the service. Exceptions may also be required due to governing law or regulation or due to contractual commitments by the University.
SECTION 151.1: EXTERNAL ACTIVITIES AND CONFLICTS OF INTEREST (DRAFT)

SOURCE: SBHE Policy Manual, Section 611.4
Office of Provost and Vice President for Academic Affairs

(Note: This draft policy is being circulated to University Senate for input. The content of current NDSU Policies 151: Conflict of Interest, and 152: External Professional Activities, overlaps with some of the following content, and would need revision for compatibility and complementarity.)

I. PHILOSOPHY AND NEED

A. Beyond the traditional academic responsibilities of teaching, research, and service, and in response to the rapidly changing external realities, universities and their employees are increasingly involved in external activities*, including economic development, technology transfer*, consulting*, and other types of public service.

B. North Dakota State University recognizes the need, and actively encourages its employees, to participate in sponsored activities* and external activities as an important component of its land-grant mission. NDSU also recognizes that this may create conflicts of interest and/or commitment with traditional academic responsibilities. An investigator’s* engagement in sponsored and external activities is subject to the principles that:

1. Full-time employees have as their primary responsibility their professional obligation to NDSU.

2. Employee conduct must conform to the highest standards of professional integrity and ethics, thereby avoiding even the appearance of impropriety.

*These and other terms marked with an asterisk are defined in Section XIII, Definitions.

II. PRIMARY DEFINITIONS

A. A Conflict of Interest is said to occur or exist when:

1. An NDSU employee is involved in an activity, commitment or interest that may adversely affect, compromise, or otherwise be incompatible with the obligations that the employee has to NDSU; or,
2. The University is influenced in such a way as to lead to improper financial gain for either the University, its employee, the employee’s immediate family*, or for others; or,

3. The employee’s involvement in, and/or commitment to, external activities interferes with the employee’s primary obligations to his or her students, colleagues, and the institutional mission.

B. Conflicts of Commitment primarily relate to an employee’s distribution of effort between obligations to an academic appointment and commitments to external activities. Conflicts of commitment may also occur or exist when professionally related external activities of the employee are so substantial or demanding of the employee’s time and attention as to interfere or appear to interfere with the employee’s responsibilities to NDSU, to the unit to which the individual is assigned, or to the students.

III. GUIDING PRINCIPLES AND MAJOR CONSIDERATIONS: INSTITUTIONAL

A. Institutional Approval. Institutional approval must be obtained prior to engaging in any external activity in which there is a potential or actual conflict. Full-time NDSU employees owe their primary loyalty and professional commitment to the institution during the terms of their employment. They must not neglect their university responsibilities to seek financial interest or advantage for themselves, their immediate families, their close associates, or a business over which they or their families have a direct or indirect financial interest. Any commitment of time and effort to serve another institution, agency, or industrial organization other than NDSU, therefore, should be made only after satisfying an employee’s primary commitment to NDSU.

1. Where potential for conflict exists, it must be disclosed, analyzed, and dealt with immediately and directly. Although not all conflicts can be prevented or avoided, failure to disclose, properly supervise, or manage an identified conflict will constitute a violation.

2. Conflicts of interest may be categorized as

   a. Clearly allowable.

   b. Allowable after disclosure, review, approval and oversight.

   c. Not allowable or prohibited.
3. Upon receipt of the disclosure, the process must be completed within 20 working days unless there are circumstances which can be documented to indicate reasons for exceeding this 20 working day period.

B. Institutional Encouragement. When a relationship enhances the professional skills of NDSU employees or constitutes public service, interactions involving service, consulting, and research activities between institutional employees and external entities for reasonable periods of time and for personal remuneration are acceptable and encouraged.

(The reasonableness of time allowable will vary among individuals, discipline, and activity, and will be affected by specific departmental or unit needs).

C. Institutional Benefit. Participation by NDSU employees in activities that serve the interests of NDSU is encouraged, where such participation affords experience and exposure to the individual, and accrues standing to NDSU. Donation of professional services to external organizations and professional societies, and serving as officers of such societies for reasonable periods of time without substantial allocation of NDSU resources, is encouraged.

D. Institutional Resources. NDSU permits the use of its facilities, space, equipment, or support staff for external activities. If a substantial allocation of NDSU resources is required to support an external activity, a prior written financial arrangement must be agreed upon that adequately compensates NDSU for their use.

E. Confidentiality of Disclosure Information. NDSU will assure the confidentiality of individual disclosure information to the extent possible under applicable state and federal requirements and/or the North Dakota Open Records Act. Whenever requests for such information are requested by any external entity, the individual will be notified.

IV. GUIDING PRINCIPLES AND MAJOR CONSIDERATIONS: EMPLOYEE

A. Employee Disclosure. As a public institution, NDSU must possess sufficient information and control to discharge its obligations of public accountability and responsibility. NDSU employees have the responsibility to report promptly and in sufficient detail, all activities that may involve actual or potential conflicts. Regular, timely, and full disclosure is a key element in this policy and is necessary to identify, resolve, or manage any actual or potential conflict of interest situation. The requirement of disclosure cannot be waived by any university employee.

B. Employee Obligations. When arranging relationships with external agencies, NDSU employees are expected to make known their NDSU obligations. Where
appropriate, they should provide copies of relevant NDSU policies to their contracted entities and inform the external agencies that their work is contracted in their individual capacity and does not in any way represent NDSU. Listing of an employee’s institutional affiliation in public or commercial documents, especially those that draw attention to the employee’s availability for compensatory work, is therefore considered violation of this policy.

C. Academic Freedom. NDSU employees are free to choose the subject matter and strategies of their individual teaching and research activities on the basis of scientific or scholarly criteria, insofar as they are unencumbered by external commitments.

D. Freedom to Publish. Subject to limited delays to permit filing of document(s) to protect intellectual property* or findings, as in a patent application, NDSU will vigorously ensure its employees’ free and open dissemination of information including the right to publish.

(See also NDSU Policy regarding Classified Research, Policy 344)

E. Accountability for Review. NDSU expects that responsible individuals will exercise their duty and responsibility, at all levels of review and action, to evaluate carefully all potential conflict situations disclosed or known to them before acting to approve or disapprove the same.

F. Time Commitment. NDSU will allow an average of up to one day per week (40 days for academic year and 52 days for calendar year appointments) within the contract period for acceptable and approved external professional activities (Policy 152). This released time, subject to unit needs, is not an automatic entitlement but is approved at the administrative head's discretion. Such released time is not available for:

1. Activities or businesses that are purely personal in nature.
2. Activities that are neither related nor contribute to the advancement of the employee’s professional skills.
3. Activities, which do not provide an opportunity for professional growth.

V. SPECIFIC RESPONSIBILITIES (See also NDSU Policy 151: Conflict of Interest)

A. NDSU employees are required and expected to take the initiative to report promptly and in detail to the administrative head of their units, for prior written approval, all activities or situations which may involve, or appear to involve, a conflict of commitment, a conflict of interest, or an incompatible obligation* or
commitment, and to respond to inquiries from the administrative head in connection with any such report. The mere existence of a conflict, real or potential, however, will not necessarily preclude a particular activity.

Employees of NDSU authorized (including delegated authority) by Policy 712 to enter into contracts on behalf of the University must sign the North Dakota State University Conflict of Interest Disclosure Statement. All other employees will be provided notice about this Policy but need only sign the statement if they have a conflict. Notices and collection of statements shall be administered by the Purchasing Office.

B. Administrative heads of units* have the duty and responsibility to evaluate carefully all potential conflict situations reported or known to them before acting to approve or disapprove the same. As a public institution, NDSU is expected to possess sufficient information and control to discharge its obligations of public accountability.

1. In a specific conflict situation, it may be appropriate for the administrative head to inquire into a number of factors, including

   a. the extent of time commitment to external entities and income derived by academic staff member from consulting activities;

   b. the extent of financial or other interest the academic staff member or staff member’s family have in external entities;

   c. the extent to which such financial or other interests may influence or affect the entities’ general policy or specific decision.

2. Careful scrutiny is called for when

   a. the employee’s acquisition of financial interests or assumptions of external executive or administrative responsibilities appear to be in conflict with the employee's duties and obligations to NDSU;

   b. activities may influence research or business decisions in ways that could lead to the employee's direct or indirect personal financial gain, or give improper advantage to the employee's immediate family, associates, or others.

In such circumstances, if the proposed activities are to be approved, appropriate control mechanisms must be established and reduced to writing, and be subject to continuous review and monitoring. Such monitoring may include, among other requirements appropriate to the
circumstances, higher administrative level review of expenditures (including those for travel), periodic detailed reviews of programmatic objectives and progress, removal of the affected employee from decision making authority, or granting a leave of absence without pay when the external commitment is inappropriate to the employee’s University duties or responsibilities.

Provision might be made for consulting authorization request approval process, whereby if the duration of the activity is longer than one year, or is indefinite, indeterminate, occasional or ongoing for a period longer than one year, for the authorization to be renewed annually through electronic correspondence, provided there are no material changes to the original activity. Substantial changes to the activity would require formal reauthorization.

3. External activities must be approved in advance through established review procedures to ensure that the proposed research conforms to the academic, administrative, fiscal, legal, space utilization, and other policies of NDSU, and that it does not conflict with the rights of others at NDSU or with other University commitments. Research agreements with external sponsors must maintain basic academic values and must not promote a secrecy that will harm the development of knowledge, impair the educational experience of students or postdoctoral fellows, diminish the role of NDSU as a credible and impartial resource, interfere with the choice by employees of the scientific or scholarly subjects they pursue, or divert an employee’s energies or NDSU resources from primary educational and research missions.

4. Those situations are to be avoided or remedied in which academic staff members, through use of their University positions or by their conduct, may be tempted to disregard the interests of the University and its students, or to dilute or divert their attention from their NDSU responsibilities in order to seek direct or indirect advantage for themselves, their families, or close associates, or exert sufficient influence over a business to be able to affect its general policy or specific decision.

VI. DISCLOSURE

A. The policy on disclosure is the key mechanism to identify potential conflict(s) of interest and commitment for further evaluation, oversight, and remediation. Usually, and most importantly, this will involve financial disclosure*. For situations subject to review and approval, an NDSU employee shall submit a request in writing, explaining all pertinent circumstances, to the administrative head of the
unit in which he or she is employed. Items that need consideration in the written request may include:

1. Listing any consulting relationship, managerial role, or a significant financial interest* in a company that does business with the University;

2. Listing any consulting relationship, managerial role, or a significant financial interest in a company that is involved with or sponsors activities related to the field of research and or service;

3. Listing any non-University income-producing activities that involve NDSU students or other staff.

4. Employees of NDSU authorized (including delegated authority) by Policy 712 to enter into contracts on behalf of the University must sign the North Dakota State University Conflict of Interest Disclosure Statement. All other employees will be provided notice about this Policy but need only sign the statement if they have a conflict. Notices and collection of statements shall be administered by the Purchasing Office.

B. If an actual or potential conflict of interest is not believed to exist, the reviewing authority will complete the Administrative Review Form. One copy each will be returned to the individual submitting the form, forwarded to the respective Vice President, and retained on file with the Administrative Head. The action requested may be approved, provided it is in compliance with all other University policies and procedures.

C. If an actual or potential conflict of interest is determined to exist, there are three options. These include:

1. Permitting the requested action or activity.

2. Attaching conditions to the approval.

3. Prohibiting the activity.

D. If the administrative head believes that an actual or potential conflict of interest situation exists, he or she shall refer the matter to the appropriate Vice President. The Vice President shall exercise his or her authority to approve, disapprove, or approve with conditions any actual or potential conflict of interest, or refer the matter to the Conflict of Interest Advisory Committee (CIAC; see Section IX) for recommendation. Where special arrangements to accommodate an actual or potential conflict of interest are desired, they shall be reduced to writing, on the basis of which the Vice President may appoint an individual to monitor the approved arrangement.
E. The Vice President shall indicate his or her decision on the Administrative Review Form, copies of which will be forwarded to the individual submitting the request, the initial reviewing authority, and filed with the office of the Vice President.

F. Upon receipt of the disclosure, the process must be completed within 20 working days unless circumstances which can be documented to indicate reasons for exceeding this 20 working day period.

VII. CONFLICTS INVOLVING ADMINISTRATORS

In the case of potential conflicts of interest and/or commitment involving administrators at the level of dean, director, or higher, initial disclosure shall be made with the appropriate Vice President, who shall then make a recommendation consistent with policy, and who may exercise the option to make the final decision. Disclosures for Vice Presidents shall be filed with the President, who shall have the final approval authority, but who may also consult with CIAC for its recommendation.

VIII. UNIVERSITY REVIEW OF SPONSORED ACTIVITIES*

Any sponsored program agreement between the University and external sponsor(s) must be authorized in advance through established University review procedures to ensure conformity of the proposed activity to the academic, administrative, fiscal, space utilization, and other policies of the University. In addition, such an agreement must not conflict with the rights of other University scholars, with other University commitments, or with the basic academic values of the institution.

IX. REVIEW AND APPEALS

A Conflict of Interest Advisory Committee (CIAC) shall be established, comprised of five members recommended by the University Senate and appointed by the President of the University Senate. The Committee shall serve as an advisory body to the University administration on conflict of interest issues, and shall also hear appeals of decisions in conflict of interest cases.

If an activity is subject to restrictions or prohibited, the employee concerned may request a hearing by the CIAC. After the written request is received by the President of the University Senate, the CIAC should meet with the appellant within 15 working days. If a member of the CIAC has any personal or working relationship with the appellant, that member should recuse him or herself and be replaced by another member appointed by the President of the University Senate. More than one meeting may be scheduled to decide the case, if necessary.
The appellant has the right to call any witnesses and produce any evidence that could bear on a recommendation to allow the activity, as well as to have an advisor accompany him/her to any committee deliberations. The committee, however, will come to its conclusions and write its final recommendations in private. The recommendation to either uphold or change the original decision shall be sent to the appropriate Vice President. If the committee finds that the original decision should be upheld, then a final appeal may be made to the President of the University. If the recommendation is to change the original decision, the Vice President shall take appropriate action as he or she deems fit. All records of the proceedings shall be maintained on file in the office of the appropriate Vice President for three years. A copy of the final recommendations shall be provided to the appellant.

X. VIOLATIONS

Violation of this policy shall be subject to disciplinary procedures, including sanctions up to and including suspension and termination of employment at the University. In addition, any NDSU employee who has received financial benefit from transactions in violation of this policy shall be liable for repayment (to the appropriate entity) of all financial benefits resulting from such violation. Compliance with this policy may also be enforced through the exercise of administrative oversight of funded research and management of NDSU facilities and other property. Such enforcement measures may include, but not be limited to

A. freezing research funds or accounts.

B. rescinding contracts entered in violation of this policy or state law.

C. bringing legal action for restitution to the appropriate entity or entities of the amount of financial benefit received by the NDSU employee as a result of the employee ’s violation of this policy.

XI. APPLICABILITY

This policy applies at all times to all full and part-time NDSU employees with regard to use of university name, property, and equipment.

(Exceptions to areas of applicability need to be negotiated with the administrative head, appropriate Vice Presidents, and the Provost and VPAA at the time of hire.)

XII. EXAMPLES OF CONFLICT OF INTEREST SITUATIONS

Conflict of Interest situations are not always easy to identify. This section categorizes and identifies activities that have differing potentials for presenting a risk. The list below represents examples of possible conflict situations that may be of some concern and is
not meant to be exhaustive. Each situation, therefore, calls for an analysis of the potential benefits and risks. The administrative head or the CIAC must decide if the benefit is worth the risk.

A. In general, potential conflict situations fall into five areas:

1. adverse effects on educational programs;
2. bias/subversion of research agendas;
3. unreasonable impairment of the flow of information/knowledge;
4. misuse of NDSU resources and facilities for private gain; and
5. theft and or misuse of NDSU intellectual property.

B. Potential conflict situations/activities may also be categorized as:

1. clearly allowable;
2. allowable after disclosure, review, approval, and oversight;
3. not allowable or prohibited.

C. Activities that are clearly allowable

1. Activities in this category have very low potential for conflict of interest. Participation does not require disclosure and is allowable if it is consistent with other NDSU policies such as those regarding time commitment and the employee’s ability to meet job obligations. Examples of such activities include, but are not exclusive to:

   a. Acceptance of royalties and honoraria for published scholarly works and intellectual property (if disclosed to and managed by NDSU or the NDSU Research Foundation), occasional lectures, commissioned papers, and creative works;

   b. Acceptance of honoraria or payment for service as a special reviewer or service on a review panel for academic, government, and not-for-profit entities

   c. Acceptance of royalties under NDSU or another academic institution’s royalty policies insofar as the employee does
not have any other relationship with the royalty-granting entities.

(See NDSU Policies 323, 323.3.1, and 152.4.3 for exceptions and exclusions to receiving honoraria and royalties.)

2. In such cases, the use of NDSU property or facilities is acceptable, if the use of such property or facilities has a legitimate relationship to the University employee’s responsibilities, provided such use is not significant. No disclosure or approval is required in these situations by this policy, although individual administrative units may have their own approval or scheduling procedures. Examples include using institutional resources to author a book, host a meeting, conduct research related to one’s disciplinary field(s), or to serve a professional organization as an officer.

3. In such cases, it is acceptable to utilize institutional employees (e.g., research assistants, secretaries, work study students) to provide assistance, provided the work activity is in keeping with the responsibilities of both parties, does not interfere with the performance of their primary activities, and does not result in significant additional costs to the University. This policy does not require any disclosure, other than intellectual property disclosures as required by policy, or approval process, although individual administrative units may require reporting and approval.

4. In such cases, it is acceptable for employees to acknowledge an affiliation with NDSU, provided this identification is accurate, is not used as part of any endorsement or promotional activities for business or personal gain, and is in keeping with the actual roles and responsibilities at the University (Policy 700.1). University personnel may use University stationery for activities that are related to their assigned University responsibilities. Such identification does not imply, however, that the employee is acting in anything other than in his or her individual capacity.

D. Activities that may be allowable after disclosure, review, oversight, and approval

1. Activities in this category have minimal-to-moderate potential for conflict of interest. These activities may be allowable after disclosure and appropriate review, provided prior administrative approval is obtained. Where appropriate or necessary, conditions or provisions for oversight may be imposed. Examples of such activities include, but are not exclusive to
a. Any ownership or majority control in a commercial enterprise that conducts activities closely related to the employee's area of academic work;

b. Holding an executive position in a commercial (private or public) enterprise or participation in the day-to-day operation of an enterprise directly related to one's University responsibilities;

c. Assuming a “key” continuing consulting role in an enterprise (including serving as a director of a company);

d. Consulting for additional compensation (e.g., providing services to individuals or firms, presenting educational programs sponsored by private firms or independently by faculty members) through approval (see Policy 152, Request for Approval);

e. Situations in which the time or creative energy devoted to external activities appear substantial enough so as to compromise the amount or quality of the employee’s participation in the instructional, scholarly, or administrative work of the University;

f. Situations in which a faculty member directs students in a research area from which the faculty member may realize a financial gain, thereby diminishing the faculty member’s ability to render objective, independent judgment on the student’s efforts;

g. Conducting research for any commercial entity.

2. In such cases, approval is required for the use of University resources and facilities that lie outside usual work responsibilities that result in clearly identifiable additional costs to the University. Approval of such situations will generally be conditional on reimbursement of costs. The executive head of the administrative unit in which the activity occurs must approve exceptions to the requirement for reimbursement. Examples include writing a book for outside compensation, hosting a conference, giving private lessons, performing research utilizing University research instruments for an external entity, or serving as an editor for a journal.

3. In cases where an activity will personally benefit the recipient, approval is required for the use of the services of other University employees. If the costs are
more than trivial, approval shall only be granted if the requested services are in keeping with the usual University activities of both employees, and the activity is in keeping with the mission of the University.

4. Approval must be granted for student involvement in research activities that have the potential to substantially benefit a business entity in which a University employee has a significant financial interest.

5. Restrictions on publication rights that may adversely impact the fulfillment of degree requirements are permitted only to the extent reasonably necessary to obtain protection of intellectual property rights if they do not prevent publication of student research in a timely manner. In such instances, the student must be informed of the limitations prior to commencing the work and must agree in writing to those limitations.

E. Activities that are clearly prohibited

1. Activities in this category pose such serious conflicts with University policy and such high potential for abuse that they cannot be allowed under any circumstances, and are subject to disciplinary action in accordance with NDSU Policies and Procedures. Examples include, but are not exclusive to:

   a. Any circumstances in which a substantial body of research or services that could and ordinarily would be carried on within the University is conducted elsewhere to the detriment of the University and its legitimate interests.

   b. Any activity outside the purview of the University that

      i. involves or appears to involve the University significantly through the use of its resources, facilities, or the participation of academic colleagues, students, and staff;

      ii. involves the use of the University's name or implied endorsement; or

      iii. violates any of the principles set forth in the University Research Policy 805 (for example, giving the outside organization the right to censor or prohibit publication rights for research any part of which is performed under University auspices).

   c. Any use for personal profit of unpublished information or data emanating from sponsored activity or confidential
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University sources, or assisting an outside organization by giving it exclusive access to such information.

d. Consulting with outside organizations that impose obligations upon the faculty member or the University that conflict with the faculty member’s or University Intellectual Property Policy or with the University’s obligations under sponsored activity.

e. Any use of the University’s name in connection with private activities in a manner that inappropriately suggests that the University endorses, sponsors, promotes, advertises, or approves the activities or views of the faculty or staff member.

f. Any evaluation of junior faculty, staff, or students based on participation in (or refusal to participate in) outside activities involving business entities in which the evaluating faculty member has a significant financial interest.

g. Any assignment of students to research and or creative activities that involve secrecy or confidentiality requirements beyond best institutional practice.

h. Any use of uncompensated student labor for research or creative activity outside of the University that will result in personal gain for the supervising University employee.

i. Any use of the services of University employees for personal gain such as answering telephones for a private business, typing reports, or conducting research activities or accepting personal compensation for work performed by university employees for external activities.

j. Any conduct of library research by librarians on a product/technology for personal gain, or any use of University facilities or resources for personal financial gain or conducting a private business and using University supplies for non-university activities.

k. Any use of University employees and students, on University time and without reimbursement, for work motivated primarily by commercial concerns or intended to benefit a business entity in which the University employee has a significant financial interest.

l. Any soliciting or receiving, either by the University employee or a member of his or her immediate family a gift, compensation, loan of money, or a non-pecuniary gift, the value of which exceeds the amount permitted by state law; any soliciting or receiving of remuneration from a person or business entity that is an actual or potential provider of goods or
services to the University, in connection with any transaction between the University and any persons or business entity, or under circumstances where it would tend to influence the University employee's performance of his or her University duties.

m. Any use of university resources (databases, subscriptions, tools, software, etc.) for personal gain or for the gain of a business in which the employee has an interest.

XIII. DEFINITIONS

A. External Activities are defined as activities (e.g., consulting) in which an outside organization or entity provides remuneration directly to the faculty member who, in turn, provides a service directly to the entity. There is no direct university involvement except the employment of the faculty/staff member.

B. Incompatible Obligation is defined as any agreement

1. between an NDSU employee and an external entity which is incompatible with the employee's obligations to NDSU;
2. which unduly restricts or impairs the employee's ability to perform research or other activities at NDSU;
3. which results in the transfer or compromise of existing or potential NDSU rights in intellectual property;
4. which utilizes NDSU resources without prior written approval of the appropriate University official or designee.

C. Immediate Family is defined as the spouse, parents, siblings, and children. *(see also under Investigator).*

D. Administrative Head of a Unit is defined as a department chair or head, dean, director, vice president, president, or equivalent officer who has primary authority for administering an administrative unit.

*(If a conflict exists for an administrative head of a unit, the matter shall be referred to the next level of administrative authority in the normal reporting lines.)*

E. Sponsored Activity is defined as research, training, instruction, construction, and service projects involving funds, materials, or other compensation from outside sources (sponsor) under agreements that contain any of the following:

1. the agreement binds NDSU to a line of scholarly or scientific inquiry or service that is specified to a substantial level of detail;
2. a line-item budget is involved which details expenses by activity, function, or project period;

(The designation of overhead [indirect costs] qualifies for inclusion in a budget as "line-item")

3. financial reports are required, as also progress, technical, and other reports as appropriate;

4. the award is subject to external audit;

5. unexpended funds must be returned to the sponsor at the conclusion of the agreement;

6. the agreement provides for the disposition of either tangible (buildings, equipment, records, technical reports, theses, or dissertations) or intangible (rights in data, software copyrights, or inventions), or patent, patent applications, or other intellectual property that may result from activity.

F. **Investigator** is defined as the principal investigator, co-investigator, and any other person at the institution who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by an external sponsor.

(As it relates to financial interests, "Investigator" also includes the investigator's immediate family.)

G. **Significant Financial Interest** is defined as

1. Anything of monetary value, including, but not limited to, salary or other payment for services (e.g., consulting fees or honoraria);

2. Equity interests (e.g., stocks, stock options, or other ownership interests);

3. Intellectual property rights (e.g., copyrights, trademarks, patents, PVP, and royalties for such rights).

4. The term does **not** include:

   a. Salary, royalties, or other remuneration from North Dakota State University the NDSU Research Foundation if such payments have not originated with the sponsoring agency;
b. Income for seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;

c. Income from service on advisory committees or review panels for public or nonprofit entities; or,

d. Financial interests in business enterprises or entities if the value of such interests (industry equity interests, salary, fees, or other continuing payments) does not exceed $10,000 per annum or represents less than 5% ownership interest for any one enterprise or entity when aggregated for the investigator, the investigator's spouse, and children.

H. **Financial Disclosure** is defined as the formal filing of information with a designated NDSU administrator, disclosing any direct and indirect financial interests that the employee, or spouse, or any dependent(s) has in the sponsor of a sponsored activity for which the filee is serving or will serve as an investigator.

I. **Intellectual Property** is defined as any ideas, inventions, technology, biological organisms, software, creative expression (and derivatives thereof), in which a proprietary interest may be claimed including, but not limited to, patents, patent applications, copyrights, trademarks, data sets, know-how, show-how, and biological materials.

J. **Consulting** is defined as a professional activity related to the University employee’s academic field or discipline that involves a fee-for-service or equivalent relationship with a third party.

*(In consulting, the employee agrees to use his or her professional capabilities to further the interests of a third party in return for compensation. See also NDSU Policy regarding Professional Service with Remuneration [Consulting], Policy 152.5)*

K. **Technology Transfer** is defined as (and includes) any license, assignment, or conveyance of any legal or equitable interest in intellectual property that is owned by NDSU, or the NDSU Research Foundation including but not limited to, the right to make, market, copy, sell, or use such property in any way.
POLICY 326, ACADEMIC MISCONDUCT

SOURCE: NDSU President and NDSU University Senate Policy

I. PURPOSE

These policies and procedures deal with academic misconduct and are set forth to review, investigate, and report allegations of academic misconduct. They are directed toward governing behaviors in the pursuit of scholarly, academic activities, and they are consistent with the principle of self-regulation (Office of Science and Technology’s Policy (OSTP) 2000) in maintaining integrity in scholarly activities.

II. PHILOSOPHY

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

Integrity is defined to mean that the results of academic activities reported are honest and accurate and in keeping with generally accepted practices of the discipline. Because misconduct in scholarly academic activities threatens the confidence in the academic endeavor, it is the responsibility of the university to foster an environment that discourages academic misconduct in all endeavors of academic activity and to develop policies and procedures to deal forthrightly, objectively, and fairly with possible academic misconduct associated with scholarly academic activity.

III. APPLICABILITY

These policies are applicable to all persons employed at NDSU and associated with NDSU through academic activities. This would include, but is not limited to faculty, adjunct faculty, visiting professors, collaborators, staff, technicians, post-doctoral fellows, graduate, undergraduate students, and volunteer assistants.

IV. DEFINITIONS

“Academic or scientific misconduct” shall mean fabrication, falsification, plagiarism, misrepresentation of sources, breach of confidentiality, and practices that are significant departures from those that are commonly accepted within the professional community. Those would include but not limited to the use of privileged information gained by peer reviews, editorial reviews, and proposal reviews for external and internal funding including NDSU
committee reviews of proposals (e.g. IRB, IBC, Radiation, IACUC, and University internal grant proposals for example). It does not include honest error, differences of opinion, or honest differences in interpretations or judgments of data.

“Allegations” shall mean any written or oral statement, from inside or outside of the NDSU system, of possible misconduct that is forwarded promptly to the office of Academic Affairs by any university official if not directly from a complainant.

“Complainant” means any person who makes in good faith an allegation of research or scholarly misconduct.

“Fabrication” is making up data or results and recording or reporting them.

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

“Inquiry” shall mean informal information gathering to determine whether an allegation or apparent instance of misconduct warrants an investigation.

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

“Plagiarism” shall mean the appropriation of ideas, processes, results, or words of another person without clear acknowledgment, being credited, or attribution. Plagiarism can be seen in many forms from verbatim, self plagiarism, paraphrasing and authorship disputes but it is not limited to that specifically for this policy. Regardless of intent, negligence, ignorance, sloppiness or even ineffective proofreading which results in the misappropriation constitutes an act of plagiarism.

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

“Scholarly activity,” “creative activity,” and “research” shall be considered synonymous terms.

V. PRINCIPLES

Due to the wide variety of academic activities, no one set of guidelines can cover all situations. Because of the seriousness of the nature of this subject, several basic principles must be used to guide the processes.

A. Allegation(s) must receive immediate, appropriate, thorough, and impartial consideration.
B. Good faith allegations are those that are made with the honest belief in the truth of the allegation based on the information the complainant had reasonable access to at the time of the allegation. The complainant who in good faith reports apparent academic misconduct shall have their position and reputations protected by the university from recrimination.

C. Both the complainant and respondent will be offered initial consultation at the time of the allegation to assist all parties in understanding the extent of this policy and procedures as well as the potential and real consequences.

D. There is a time limitation for allegations to be made by a complainant. Allegations will be received if they fall within six years from the time when the actual or initial alleged academic misconduct occurred. Any allegation that is older than six years will not be accepted.

E. The complainant, respondent, and committee members must be afforded confidential treatment during the entire process to the maximum extent possible. In such cases of a Freedom of Information Act, North Dakota Open Records Act, Family Educational Rights and Privacy Act, or Health Insurance Portability and Accountability Act request or reporting requirements, general counsel will be sought to assure confidentiality. To the maximum extent possible, confidentiality will be maintained for research subjects when research data and records are viewed as evidence.

F. NDSU will follow a three phase process that starts with the receipt of the allegation (phase 1), to an immediate inquiry (phase 2) of the allegation where a determination may be made to investigate (phase 3) which may lead to recommendations for appropriate sanctions and reporting where applicable. Actual sanctions and appeals will be considered a separate phase that will be handled through other administrative processes.

G. NDSU General Counsel (GC) shall serve as legal advisor to the committees. Upon request of the committees, GC shall be present at meetings, interviews, and other procedures during all phases. GC will not be permitted to actively participate. The complainant, respondent, or others involved in these proceedings may have an attorney present at all meetings, interviews, and other proceedings to act as an adviser. Those attorneys are not allowed to actively participate in the proceedings.

H. To determine misconduct, NDSU must find that there was a significant departure from accepted practices of the relevant community; and it was committed intentionally, knowingly, or recklessly.

I. The allegation must be proven beyond a preponderance of the evidence.
The burden of proof lies with the institution and applicable agencies to demonstrate a preponderance of evidence. Because this is an NDSU policy, a lower standard of proof may be used that would not reach the same level as would be in the courts.

From the initial allegation to the completion of the investigation, every effort will be made to obtain and secure evidence that will be directly applicable to the case.

Any university action in resolving these allegations must comply with the procedural requirements of the North Dakota State Board of Higher Education (“Regulations on Academic Freedom, Tenure, and Due Process”, NDSU policies 350.1-5, 230-2), the appropriate provisions of the NDSU Student Policies Handbook (NDSU policy 601 and 335), and all applicable funding agency requirements.

If allegations of apparent academic misconduct have been made with the malicious intent of destroying a career and reputation, the evidence of this fabrication is to be presented to the Provost/Vice President for Academic Affairs or the Vice President or Student Affairs (when it is a student) or the Graduate Dean when graduate students are involved, for appropriate examination and possible disciplinary action. Malicious allegations to harm or harass other individuals will not be tolerated by the University. Retaliation to the complainant, respondent, or to committee members will also not be tolerated. Further actions against bad faith complainants may be taken under NDSU policies that apply to employment and termination procedures. Actions that may be taken by NDSU could include, but are not limited to, termination of employment or expulsion.

Complainants do not have the right to appeal a determination made by the university at any stage of the process.

VI. ALLEGATIONS - PROCEDURES

A. The complainant of apparent academic misconduct has the option of reporting the allegation and evidence to the following university officials: Chair/Head of the Department, the Dean of the College involved or other Deans (i.e., Dean of the Graduate School), Vice Presidents, or the Provost/Vice President for Academic Affairs (hereafter referred to as the receiver of the allegation) directly. Any National or Federal agency involved could also be notified directly prior to or simultaneously with NDSU. Most agencies will not investigate initially and will allow NDSU to proceed as the primary investigating body. The funding agency will review the submitted reports to determine if further actions need to be taken. Federal agencies expect each institution to handle these proceedings and will only take charge if there is an immediate need to handle the case themselves.

B. Allegations shall mean a written or oral statement, by a complainant, of possible academic misconduct that is forwarded promptly (within 30 days) by any university
official directly to the office of the Provost/Vice President for Academic Affairs. Failure to promptly forward an allegation to the Provost/Vice President for Academic Affairs may be viewed as academic misconduct as withholding evidence or destroying evidence or as a failure to report such an allegation. Departmental level handling of these cases is not acceptable.

C. Allegations may come to the office of the Provost/Vice President for Academic Affairs as anonymous as long as there is a written indication requesting that the person remain anonymous or that their identity is protected as long as reasonably possible.

D. Upon receipt of an allegation, the receiver of the allegation must immediately inform the Provost/Vice President for Academic Affairs (or specified designee) formally, in writing, if it is not received initially or directly by the Provost. In this case, the Provost/Vice President for Academic Affairs will inform the president.

E. The complainant, the immediate supervisor as well as the respondent will be contacted to see if any attempts have been made to clarify issues and determine if there may have been any misunderstandings. In some circumstances, this is not possible if the allegation is anonymous.

F. If it is determined that the allegation needs to be redirected to another administrative body, for example, in the case of a student affairs issues, research compliance issue, or professionalism in the workplace, a memorandum-for-file will be drafted to include a statement of the allegation and the rationale for not conducting an inquiry. This shall be filed in the Office of the Provost/Vice President for Academic Affairs for seven years. A copy of this document will be provided to the respondent.

VII. INQUIRY - PROCEDURES

A. Inquiry shall mean informal information gathering to determine whether there is sufficient evidence to conduct an investigation from an allegation or apparent instance of academic misconduct.

B. The Provost/Vice President for Academic Affairs will appoint a committee consisting of non-administrative, tenured faculty members preferably with the rank of professor to review the allegation. Members of the committee may be external to the University. The committee will determine whether an investigation should be conducted based on whether the allegation falls within the definition of academic misconduct as defined above; whether the allegation is sufficiently credible; and whether the allegation is specific enough so that potential evidence of academic misconduct may be identified. The respondent will be notified before the initiation of the inquiry.
C. Interviews must be conducted with both the respondent and the complainant and any other persons who may have information relevant to the allegation and purpose of the inquiry.

D. Upon completion of the inquiry, a report will be generated. The final inquiry report shall include (1) the name and position of the respondent(s); (2) a description of the allegation of misconduct; (3) the support involved, including, for example, grant numbers, grant applications, contracts, and publications listing support if applicable; (4) the basis for recommending that the alleged actions did warrant an investigation; (5) any comments on the report by the respondent (final report with comments must be completed within the allotted time and the respondent must be given a reasonable time to review and comment on the report) or the complainant (not required); (6) a summary of the evidence; and (7) the conclusions of the inquiry. The respondent must be given a copy of the report of the inquiry along with this policy. Opinion by a recognized authority in the respondent’s field may be included with the report.

E. The inquiry report will be completed and submitted to the Provost/Vice President for Academic Affairs office within 60 days from the receipt of the initial allegation, unless circumstances which can be documented to indicate reasons for exceeding this 60 day period. Written notification must be given to the Provost/Vice President for Academic Affairs prior to exceeding the time limit. If the inquiry exceeds 60 days, documentation of the circumstances must be part of the report. The respondent must have sufficient time to review and provide comments to the report before the 60 day period has expired. The inquiry report should be completed within 45 days allowing 15 days for the respondent to comment. The respondent’s comments must be received prior to the time limit unless written notification to the Provost/Vice President for Academic Affairs was received to exceed.

F. If it is determined that the allegation does not meet the definition and it is not sufficiently credible or specific enough so that potential evidence of academic misconduct may be identified, an inquiry report shall be generated.

G. If it is determined that the allegation does meet the definition and it is sufficiently credible or specific enough so that potential evidence of academic misconduct may be identified, an inquiry report shall be generated and an investigation shall start within 30 days of the completion of the inquiry report.

H. All work of those involved shall, to the maximum extent possible, remain confidential.

VIII. INVESTIGATION - PROCEDURES

A. Investigation shall mean the formal examination and evaluation of all relevant facts and evidence to determine if academic misconduct has occurred.
B. If the findings from the inquiry provide sufficient basis for conducting an investigation, the investigation must be initiated within a thirty-day period following the completion of the inquiry (60 day time limit). At the initiation of the investigation or before, NDSU will notify all applicable agencies that it will or has started an investigation. This notification will include copies of this policy, the final inquiry report, and all supporting evidence.

C. The University Senate Executive Committee shall appoint the Committee on Academic Integrity who will conduct the investigation. If a member of the Committee on Academic Integrity feels that a conflict of interest in a particular case may occur, this person must recuse him/herself and the Executive Committee may provide a substitute.

D. The respondent has five working days to appeal the committee membership based on biases or conflict of interest of committee members. This must be received in writing to the President of the Senate Executive Committee. The President of the Senate Executive Committee will review the challenge and determine whether there should be a substitution with another qualified member.

E. At the point of the initiation of the investigation, every effort shall be made, if not already made during the inquiry, to secure any and all evidence needed to investigate the allegation. Every effort shall also be made to not interrupt or impede any progress of any ongoing activities by the respondent.

F. The institution has the burden of proof for making a finding of academic misconduct. The destruction, absence of, or the respondent’s failure to provide records or adequately documenting the questioned activities may be evidence of academic misconduct. Where the institution establishes by a preponderance of the evidence that the respondent intentionally, knowingly, or recklessly had records and destroyed them; had the opportunity to maintain the records but did not do so; or maintained the records and failed to produce them in a timely manner; or the respondent’s conduct constitutes a significant departure from accepted practices of the relevant professional community, it will be considered academic misconduct.

G. The Committee of Academic Integrity shall comply with the following guidelines:

1. The committee will notify the respondent in writing of the allegation that will be investigated. NDSU shall give the respondent(s) written notice of any new allegations within a reasonable time after determining to pursue allegations not addressed in the inquiry or in the initial notice of the investigation.

2. The panel may request any evidence considered necessary to conduct a complete investigation of the matter. Evidence for this purpose does not rise to the level of
legal proceedings. Normally, evidence would include an examination of all
documentation, including but not necessarily limited to, relevant data, proposals,
publications, correspondence, emails, and memoranda of telephone calls.
Interviews shall be conducted with the complainant and the respondent as well as
other individuals who might have information regarding aspects of the allegation;
complete summaries of these interviews should be prepared and provided to the
interviewee as well as supervised possible access to the evidence for comment or
revision, and shall be included as part of the investigation file. The committee will
notify the interviewee sufficiently in advance for scheduling their interview in the
investigation so that they may prepare for the interview and arrange for the
attendance of legal counsel, if they wish.

3. The respondent has the right to provide any evidence during the investigation and,
if needed, may have an attorney accompany him/her/them. If an attorney for the
respondent is present, the panel may request that the University provide legal
counsel on the university’s behalf.

4. The panel will deliberate and reach its conclusions and write its final report in
executive session. The report shall be completed in time to allow the respondent
to review and provide comment. Upon receipt the respondent has 30 days to
comment on the final report. The respondent’s comments will be considered part
of the final report which should be completed within 120 days from the initiation
of the investigation. The panel must prepare and maintain all documentation to
substantiate its findings. If the final report or if the comments by the respondent
are to exceed the time limit, written notice shall be given to the Provost/Vice
President for Academic Affairs who will also request an extension from any
funding agency. Explanation shall be provided for reasons to exceed time limits.

5. The investigative panel shall then submit the final report with all of the relevant
evidence to the Committee on Academic Integrity.

6. The investigation by the panel is to remain confidential unless disclosure is
required by the North Dakota Open Records Act or by any applicable sponsor’s
guidelines. Breach of confidentiality will be a violation of this policy and subject
to disciplinary actions.

7. The University Senate Executive Committee shall review the Committee on
Academic Integrity’s report to make certain that due process has been observed
and that there are no irregularities in the their work.

8. If it is determined that there was no academic misconduct, a report describing
policies and procedures under which the investigation was conducted, the nature of
the allegations, how information was obtained, all evidence, all persons
interviewed with text or summary of interviews, the findings, the basis for the final
decision and whether the university accepts their determination, shall be forwarded to the Office of Provost/Vice President for Academic Affairs to be retained appropriately for a period of seven years. All applicable persons involved in the investigation shall be notified of the conclusion and provided supervised access to the reports and evidence. A copy of all documents shall be furnished to the respondent. If any parties request the documents, the respondent shall be notified. In the case of the involvement of a sponsoring agency, a copy of the final report provided to the Provost/Vice President for Academic Affairs will be provided to the agency according to their requirements.

9. In the case where there was no academic misconduct, the Provost/Vice President of Academic Affairs will take the appropriate steps to clear the respondent’s record by ensuring that no material related to the case remains in the respondent’s personnel files. The university will also take every effort to restore the reputation of the respondent if there has been any damage.

10. If the allegations are substantiated, the Committee on Academic Integrity shall forward the report to the Provost/Vice President for Academic Affairs and to the President where it will then be reviewed for recommendations for sanctions.

   a. In the case of the involvement of a sponsoring agency, a final report prepared by the Provost/Vice President for Academic Affairs describing policies and procedures under which the investigation was conducted, the nature of the allegations, how information was obtained, all evidence, all persons interviewed with text or summary of interviews, the findings, the basis for the final decision, whether the university accepts the findings and a description of disciplinary action taken or pending by the institution, must be sent to the agency.

   b. It shall be the responsibility of the University to ensure that the respondent communicates the results of the investigation to collaborators, journals, publishers, professional societies, and sponsoring agencies with which the respondent has had professional contact or whom may have allowed the presentation of false, fabricated, or plagiarized material or data or breached confidentiality. NDSU will ensure that the respondent directly communicates the results, but in a case where NDSU may not be able to impose this requirement on the individual, NDSU will communicate the results directly on their behalf.

   c. The investigation shall be completed within 120 days of its initiation with all reports and responses to the report, submitted to the office of the Provost/Vice President for Academic Affairs and to all applicable agencies within the 120 days.
11. Admissions of guilt and or resignations cannot exclude reporting to applicable agencies or stop academic misconduct proceedings from occurring. All reasonable efforts will be taken to continue to collect evidence and investigate the alleged misconduct. Full reports for any applicable regulatory agency will be completed even though resignations have been rendered or admissions of guilt have been submitted.

IX. SPECIAL REPORTING REQUIREMENTS

Normally, the inquiry or investigation will be conducted in such a manner as to protect the privacy/confidentiality of all involved. However, if at the stage of the inquiry or investigation, any of the following conditions exist, there must be immediate notification to the sponsoring agency or the public:

- there is an immediate health or safety risk for the public, including an immediate need to protect human or animal subjects;
- research activities should be suspended;
- there is an immediate need to protect agency funds or equipment;
- there is an immediate need to protect the interests of the person(s) making the allegation or the individuals who are subject to the allegations as well as his/her co-investigators and associates;
- it is probable that the alleged incident is going to be reported publicly; or
- there is reasonable indication of possible civil or criminal violation. In this instance, the institution must inform the appropriate sponsoring agency, if necessary, within 24 hours of obtaining that information.
- there is a reasonable belief that the research community or public should be informed.

X. SANCTIONS

NDSU administration may implement specific sanctions congruent with the misconduct. Sanctions resulting from affirmation of academic misconduct will include up to but are not limited to termination of employment or student status, termination of current research activity, special prior review of future research activities, written reprimand, probation for a specific period of time and/or suspension of rights and responsibilities. In cases of students, recommendations for sanction or disciplinary actions will be forwarded to the VP for Student Affairs or the Graduate Dean to determine appropriate administration of any sanctions.

XI. APPEALS

Appeals to final reports and determinations will be handled through federal agencies of oversight where applicable and through NDSU’s President’s Office. NDSU may suspend
internal appeals until further outcomes by the agencies. NDSU appeals regarding the outcome of an investigation will be restricted to the evidence presented and will be limited to the university’s failure to follow published procedures, sanctions not in keeping with the findings or arbitrary or capricious decision making. These appeals must be made directly in writing to the President of NDSU within 30 days of the notice of determination. Review of the appeal may be performed by the President or the President has the option to appoint a technical review committee. Upon review of the appeal, the determination made by the President of the University is final.

Grievances and appeals to sanctions and disciplinary actions will be handled accordingly to faculty policies (NDSU Policies 157 (350.3 and 353)) and staff/employee policies (NDSU policies 157 (230 and 231)). Students can appeal the sanctions through the student code of conduct policy (NDSU policy 601 and 335).

Substitutions:  L. Peterson for D. Danbom, D. Eiler for B. Montgomery, R. Petrich for M. Ostlie, R.S. Krishnan for R.C. Schnell

Previous Minutes

Minutes of the April 10, 2006, meeting were approved with unanimous consent.

Consent Agenda

MOTION (Reimnitz/ Berry) to approve the reports and recommendations of the following committees:

A. Academic Affairs – R. Pieri (Attachment 1)
   -This report was removed from the Consent Agenda and placed under Committee Reports.

B. General Education – M. Christoffers (Attachment 2)

C. Policy Coordinating Committee - Information Items (Attachment 3)
   • Section 345: Research on Human Subjects

MOTION TO APPROVE CONSENT AGENDA, AS AMENDED, PASSED WITH UNANIMOUS CONSENT.

General Announcements

1) J. Council, President of University Senate:
   -Thanked the Senate for a successful year and for being flexible to change.
2) **D. Cooley, Parliamentarian:**
- Announced that a tutorial on ‘How to Amend Something Previously Adopted’ will be presented in the fall when Policy 407 returns to the Senate. Parliamentary tutorials are pending.

3) **University Senate Meeting Dates/Rooms 2006-2007:**
- Meeting dates and locations were distributed and will be posted to the Senate web site. Note: Rooms are subject to change due to the Union remodeling project.

**Committee Reports**

**Academic Affairs:**
- R. Pieri, chair, presented from the floor additional courses that were approved at the final Academic Affairs meeting. MOTION (Knoepfle/Terbizan): to approve Academic Affairs report as amended. MOTION PASSED WITH UNANIMOUS CONSENT. These additional courses included in the attachment.
- MOTION (Steele/Beck): to reject course title changes of CDFS 773, 774 and 775 due to the replacement of the word ‘marital’ with ‘couple’ in the course titles. Opposition was based on moving the focus away from traditional marriage and family units. CDFS chair J. Deal provided explanation that the proposed title changes better represent the professional field today, and is an expectation of accrediting bodies. MOTION TO AMEND (Ambrosio/Hannon): to approve course title changes as originally presented. MOTION CARRIED WITH A VOTE OF 60-1 (Senator Steele voted no).

**Unfinished Business**

1) **Policy 407 – Auxiliary Exclusive Services:**
- Council shared portions of the policy, which previously have been amended. He reported that concern still exists over the possibility of large catering businesses taking profits away from NDSU.
- Profits from auxiliary services have supported and continue to fund various projects at the University.
- Student support was voiced for this motion.
- Additional language can be expected to the catering portion of the policy.
- New text for discussion was presented:

> “The intent of this policy is that unless otherwise approved pursuant to this section, non-NDSU catering services will not be allowed to deliver on campus for functions of any size. Delivery services, like pizza delivery for example, are not considered catering services.”
New Business

1) **Annual Reports of Senate Standing Committees:**
   - Annual reports received will be posted to the University Senate web site in the coming weeks.

2) **Standing Committee Membership for 2006-2007:**
   - Draft copies were distributed and will be posted to the University Senate web site. As additional members and replacements are identified, and as committee chairs are named, please forward this information to Berry or Wold-McCormick.

3) **Policy 336- Examinations and Grading: Grades of Incomplete (Attachment 4):**
   - Wold-McCormick presented proposed changes to the Incomplete Grades portion of Policy 336. This included a new Incomplete Grade Reporting Form.
   - **MOTION (Peterson/Berry):** to approve the policy changes. Discussion ensued on how to handle students who don’t take finals or who don’t meet other course requirements, whether students should be responsible for stating the reasons for their request on the form, deadlines for submitting the form, impacts on departmental freedom to assign grades, whether or not this form should be made available on the web, and changed in how graduate research credits are graded.
   - **MOTION CARRIED WITH A VOTE OF 50-10.** The following senators or their substitutes voted aye: Ambrosio, Askelson, Balaz, Beck, Berry, Brooks, Clark Johnson, Cómex, Coykendall, Dai, Duncan, Filpus, Garden-Robinson, Glower, Grafton, Gross, Gustafson, Hageman, Hauck, Howatt, Kallmeyer, Langley, Little, Mallett, Manikowske, D. Miller, Montgomery, Neate, Ostlie, Peterson, Presser, Randall, Ransom, Rasmussen, Reimnitz, Rider, Riley, Robinson, Rogers, Schnell, Schwert, Scott, Smith, Sperl, Sun, Teigen, Terbizan, Trowbridge, Webster, and Wittrock. The following senators or their substitutes voted no: Bahrami, Christoffers, Cook, Danbom, Esslinger, Hannon, Harvey, Knoepfle, Panigrahi, and Steele.

4) **Election of President-Elect of University Senate for 2006-2007:**
   - Dr. Donna Terbizan (College of Human Development and Education) was approved as president-elect with unanimous consent.

5) The term of the current Grade Appeals Board chair is expiring, and a replacement needs to be identified. Eligible board members were presented and three nominations were made: Karen Froelich, Lisa Daniels and Gregory Cook. A vote will be arranged at a later date.

Discussion

- A report and recommendations on faculty service were presented by Council (Attachment 5).
Passing of the gavel to President Berry
Gene Berry was introduced as the new president of University Senate for 2006-2007. Berry, along with Krishnan, presented Jim Council with a plaque in appreciation of his service to the Senate this year.

Adjournment
Meeting adjourned at 4:30 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary
## Academic Affairs Committee

Approved Curricular Recommendations

### New Courses

<table>
<thead>
<tr>
<th>Dept.</th>
<th>No.</th>
<th>Title</th>
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<tr>
<td>ACCT</td>
<td>342</td>
<td>Fundamentals of Financial Planning</td>
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<td>ACCT</td>
<td>411</td>
<td>Advanced Fraud Examination</td>
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<tr>
<td>BUSN</td>
<td>657</td>
<td>Leadership in Organizations</td>
<td>3</td>
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<tr>
<td>CE</td>
<td>458/658</td>
<td>Bituminous Materials and Mixtures</td>
<td>3</td>
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<td>CM&amp;E</td>
<td>200</td>
<td>Construction Documents &amp; Codes</td>
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<tr>
<td>CM&amp;E</td>
<td>204</td>
<td>Construction Surveying</td>
<td>2</td>
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<tr>
<td>CM&amp;E</td>
<td>240</td>
<td>Financial Cost Concepts for Construction Managers</td>
<td>3</td>
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<td>CM&amp;E</td>
<td>250</td>
<td>Construction Statics and Mechanics</td>
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<tr>
<td>ECON</td>
<td>410/610</td>
<td>Introduction to Econometrics</td>
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<td>748</td>
<td>Elements of Information Theory</td>
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<td>HNES</td>
<td>442/642</td>
<td>Community Health and Nutrition Education</td>
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<td>HNES</td>
<td>442L/642L</td>
<td>Community Health and Nutrition Education Lab</td>
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<td>ME</td>
<td>480/680</td>
<td>Advanced Fluid Dynamics</td>
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<td>ME</td>
<td>731</td>
<td>Mechanical Behavior of Materials</td>
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<td>MN</td>
<td>729</td>
<td>Materials Characterization</td>
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<td>MN</td>
<td>730</td>
<td>Nanotechnology and Nanomaterials</td>
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<td>MN</td>
<td>732</td>
<td>Electronic Properties of Materials</td>
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<td>745</td>
<td>Preparing Future Researchers</td>
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<td>MN</td>
<td>756</td>
<td>Molecular Modeling of Materials</td>
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<td>PHRM</td>
<td>465</td>
<td>Cultural Competence in Pharmacy Practice</td>
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### Course Deletions

<p>| ENGL  | 462/662 | Modern European Drama                               | 3    |
| ENGL  | 464/664 | Comparative Literature                              | 3    |</p>
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<td>Restoration and 18th Century Drama</td>
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<td>ENGL</td>
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<td>Directions in English Studies</td>
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<td>ENGL</td>
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<td>765</td>
<td>Understanding Electric Culture</td>
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<td>ENGL</td>
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<td>18th Century Literary Studies</td>
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<td>19th-20th Century British Literature</td>
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<td>HNES</td>
<td>434</td>
<td>Organization Management of Sports Teams</td>
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<td>PHYS</td>
<td>180</td>
<td>Contemporary Concepts in Physics</td>
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<td>363</td>
<td>Optics</td>
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<table>
<thead>
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<th>Changes in Course Prefix, Number, Title, and Credits</th>
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<td>AGEC</td>
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<td>COMM 301</td>
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<td>CM&amp;E 412</td>
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<td>EMGT 453/653</td>
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<td>NRM 702</td>
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<td>NRM 731</td>
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<td>NRM 732</td>
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**Cross-Listed Courses**

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<th>Credits</th>
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<td>UNIV 189</td>
<td>Skills for Academic Success</td>
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<tr>
<td>ME 479/679</td>
<td>Fluid Power Systems Design</td>
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<table>
<thead>
<tr>
<th>Cross-Listed Department</th>
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<tbody>
<tr>
<td>BUSN</td>
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<tr>
<td>ABEN</td>
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Review of General Education Courses

Approved General Education Recommendations.

<table>
<thead>
<tr>
<th>Course No.</th>
<th>Course Title</th>
<th>Categories</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENGL 321</td>
<td>Writing in the Technical Professions</td>
<td>C</td>
<td>1, 6</td>
</tr>
</tbody>
</table>

Category Removed from General Education Requirements

Category 9: Computer Usage Integrated in All Majors

Rationale: Computer usage requirement is obsolete as it is now expected and practiced campus-wide across all majors.

Approval for New General Education with Outcomes

<table>
<thead>
<tr>
<th>Course No.</th>
<th>Course Title</th>
<th>Categories</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>HNES/PSYC 212</td>
<td>Psychological Aspects of Drug Use and Abuse</td>
<td>B</td>
<td>4, 6</td>
</tr>
<tr>
<td>BIOL 124</td>
<td>Environmental Science</td>
<td>Sn and G*</td>
<td>5, 6</td>
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</table>

Continued Approval (5-Year Renewal) for General Education with Changes in Outcomes

<table>
<thead>
<tr>
<th>Course No.</th>
<th>Course Title</th>
<th>Categories</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARSC/NRM 225</td>
<td>Natural Resource and Agro-ecosystems</td>
<td>G, Sn</td>
<td>2, 6, 7</td>
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<tr>
<td>CSCI 125</td>
<td>COBOL Programming</td>
<td>R</td>
<td>1, 2, 5</td>
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<tr>
<td>PSYC 111</td>
<td>Introduction to Psychology</td>
<td>B</td>
<td>2, 4, 5</td>
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*Category G was inadvertently omitted from this course in the April 2006 General Education Committee report to the University Senate.
POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

Section 345: RESEARCH ON HUMAN SUBJECTS

The change will have no effect on current policies or procedures for the review or conduct of NDSU research involving human participants. Revision updates the references to administrative offices that have changed since the last revision.

- Changes title to ‘Research Involving Human Participants’
- Changes ‘subject’ to ‘participant’
- Replaces the Dept. of Health and Human Services ‘Office for the Protection from Research Risks’, with ‘Office of Human Research Protections’
- Includes Food and Drug Administration regulations (21 CFR 50) that may apply
- Replaces the ‘Office of Graduate Studies and Research’ with ‘Office of the Vice President for Research, Creative Activities & Technology Transfer’
- Re-wording to improve readability

2. This policy has been reviewed/passed by the following (include dates of official action):
   Policy Coordinating Committee:
   University Senate:
   Staff Senate:
   Student Senate/Executive Board:
   President’s Council:

3. This policy was originated by (individual, office or committee/organization):
   Institutional Review Board, April 6, 2006

------------------------------------------------------

SECTION 345: RESEARCH INVOLVING HUMAN PARTICIPANTS

SOURCE: NDSU President

North Dakota State University has provided a formal guarantee to the Office of Human Research Protections in the Department of Health and Human Services (DHHS), that it will follow procedures which will assure the protection of all human participants involved in NDSU research projects. This guarantee applies to all such research conducted by faculty, students, staff, or other representatives of the
University, whether or not the research is sponsored by agencies of the U.S. Government.

In order to comply with this assurance, the University has established an organization competent to review research projects that involve human participants. In compliance with federal provisions (Protection of Human Subjects (45 CFR 46, 21 CFR 50), the Institutional Review Board (IRB) has been designated to review these projects by the Office of the Vice President for Research, Creative Activities & Technology Transfer.

The function of the IRB is to assist investigators in the protection of the rights and welfare of human participants. Investigators will not bear the sole responsibility for determining the standards for ethical conduct of research involving human participants. It is necessary for others, who are independent of this research, to share this responsibility. The University's guidelines for human subject research were approved by the University Senate on October 13, 1986. They have been incorporated into a document called, NORTH DAKOTA STATE UNIVERSITY GUIDELINES FOR THE PROTECTION OF HUMAN PARTICIPANTS IN RESEARCH. ANY proposal that involves the use of human participants is to be conducted under these guidelines. Copies of this document are available from the IRB Office, or NDSU IRB web page.

HISTORY: December 18, 1974; Amended April 1992; April 2006.
SECTION 336: EXAMINATIONS AND GRADING

SOURCE: NDSU University Senate Policy

The giving of examinations, their type, and number is up to the individual instructor, in so far as it is consistent with Dead Week Policy (see below). However, results of some examinations or other methods of evaluation are encouraged to be provided to students before the last day to drop courses (coincides with last day to withdraw to zero credits) within a given term. These deadlines are published on an annual basis and typically fall three weeks before the last day of the semester, which includes final examination week, for regular full-term courses. Deadlines for variable length courses vary and are based on the length of the session in which classes fall.

The schedule for final examinations is determined and published by the Office of Registration and Records. Final examinations in one-credit courses are usually given during the last regular class period. Final examinations for all other courses may not be rescheduled during the final examination period, or given prior to the start of final examination period. According to the State Board of Higher Education policy, the examination period is instructional time and, if a final examination is not given, some instructional use of this period is expected. Final examinations for summer school, distance and continuing education and extension classes are arranged by the instructors.

No student shall be obligated to take more than three final examinations scheduled for the same calendar day. In the event that a student has four or more final examinations on the same calendar day, the student shall notify the instructor(s) from the highest numbered course(s) no later than two weeks before the last day of class to schedule a make-up examination to be administered at a mutually acceptable time.

Dead Week Policy (adopted by University Senate on February 14, 2005):
Only one exam or quiz per course may be given during the last two weeks of the semester (prorated accordingly for variable length courses), which includes finals week. Exceptions include summer classes, self-paced/correspondence courses, make-up exams, courses in which laboratory is incorporated with a lecture, one-credit courses, and quizzes that account for less than 5% of the students' overall grade. If a professor chooses to give an exam during the last week of classes, he/she is expected to make some instructional use of the final examination time.

Upon request all instructors shall inform students directly of their approximate mid-term grades before the end of the eighth week of the semester. (University Senate Policy, approved Dec. 21, 1970)

Examinations and grade lists are not to be posted by name, social security number or student University generated identification number, and examination and term papers must have the grade denoted inside when they are made available for students to pick up, in order to maximize privacy of grades. (University Senate Policy, approved Feb. 21, 1972)

Final grades are reported on-line by faculty and typically are due by the end of the second business day following the conclusion of finals week. Instructions and deadlines are provided each term by the Office of Registration and Records.
Grades of Incomplete

Under extraordinary circumstances and at the discretion of the instructor, a student may be assigned a grade of Incomplete (I). The following policies apply to Incomplete grades:

1. The grade of Incomplete is assigned to indicate that satisfactory work has been completed up to within five weeks of the semester end, and that circumstances beyond the student's control prevented completion of the work. The time period is proportional for variable length courses and summer session. The grade of Incomplete is not to be given in any instance where the student has a deficiency of more than five weeks of work including final exam week. The time period is proportional for variable length courses and summer session.

3. Grades of Incomplete are initiated by student request. The student must contact the instructor, request an Incomplete grade, and, upon instructor approval, make arrangements to complete the work.

4. The grade of Incomplete (I) is an administrative grade that may only be entered by the Office of Registration and Records, except in courses designated as practicum, internship, individual study, field experience, or study abroad.

5. An Incomplete Grade Reporting Form detailing the work to be completed, expected completion date, and grading standard is to be signed and dated by both the instructor and the student. The form is to be submitted to the Office of Registration and Records by the grade submission deadline for the semester in which the course was taken. It is advisable that the instructor, student and advisor retain copies of this form for their records as well.

6. Grades of Incomplete, including those for most course types identified in #4, must be removed no later than the end of the seventh week of the next full semester (fall or spring). The time period is proportional for variable length courses and summer session.

7. Grades of Incomplete are removed when the student has completed all course requirements and the instructor of the course files a Grade Reporting Form with the Office of Registration and Records.

8. All grades of Incomplete that are not removed within the specified time are automatically changed to F grades by the Office of Registration and Records.

9. Instructors may specify completion deadlines for remaining work on the Incomplete Grade Reporting Form earlier than the standard deadlines.
10. Requests for extensions beyond the seventh week of the next full semester require approval by both the instructor and the chair of the department offering the course. The extended deadline must be indicated on the Incomplete Grade Reporting Form and may not exceed two Incomplete conversion/deadline cycles. If a grade is not submitted by the specified deadline, the Incomplete grade will convert to a grade of F.

11. Grades of Incomplete, which convert to grades of F, earned in the last semester of attendance by a student who leaves the University for two or more years may be changed to Withdrawn (W) upon re-enrollment. Requests for this privilege must be filed with the Office of Registration and Records during the first term of re-entry.

12. An Incomplete grade may be converted to a letter grade (or P/F, S/U) according to the above guidelines, but may not be expunged from the record.

13. Students may not register in courses in which they currently hold grades of Incomplete, except for courses that are repeatable for credit.

14. Students are not allowed to graduate with unconverted Incomplete grades on their academic records. Upon graduation, unconverted Incomplete grades will convert to grades of F. If a course in which an Incomplete grade was assigned is required for graduation, the instructor may extend the deadline according to the above procedures and timelines, and graduation will be postponed.

15. Students who receive grades of Incomplete or converted grades of F may appeal disputed grades in accordance with NDSU Policy, Section 337: Grade Appeals Board.

Incomplete Grade Reporting Form

Student Name_________________________________________________  ID#_________________________

Major_________________________________________ College_______________________________

The above named student has received a grade of Incomplete in the following course:

Subject/Prefix_________________  Catalog #________________  Credits___________ Class #____________

Description/Title:___________________________________________________________________________

The following academic work must be submitted by the student in order for the course to be considered complete and a grade to be submitted (attached additional expectations/instructions if necessary):

___________________________________________________________________________________________________
___________________________________________________________________________________________________
___________________________________________________________________________________________________

Incompletes will convert to F grades by the end of the seventh week of the next full semester (fall/spring)* following the semester for which the Incomplete grade was assigned, UNLESS:

- a Grade Reporting Form to change the grade is received in Registration and Records prior to the conversion default deadline set by the University.
- a different completion deadline, identified by the instructor, is indicated below. Incompletes will convert to F grades accordingly.
- Instructors may set deadlines earlier than the conversion default dates.
- Extensions beyond the default dates require department chair approval, and may not exceed two Incomplete conversion/deadline cycles.

*Refer to the Academic Dates and Deadlines for ‘Incomplete to F’ conversion default dates for a given semester (pocket calendar or online at www.ndsu.edu/registrar).

To be Completed by Instructor:

A Change of Grade (on a Grade Reporting Form) is Due by the Instructor:

☐ By the default date identified above.
☐ By the following date determined by the instructor:____________________. This date may be earlier than the assigned default date, but may not exceed two Incomplete conversion/deadline cycles.

Incomplete work is due by the student by the following date (this should be earlier than date indicated above to allow time for review and grade submission):________________________________

Note: Students may not graduate with any Incomplete grades on their record.

___________________________________________ __________________________________
Signature of Student      Date

___________________________________________ __________________________________
Name of Instructor, Please Print    Department of Instructor

___________________________________________ __________________________________
Signature of Instructor     Date

___________________________________________ __________________________________
Signature of Dept. Chair*     Date
*Required for Incomplete grade extensions beyond default date

Instructor or Department should submit signed form directly to Office of Registration and Records, 110 Ceres Hall, by the grade submission deadline for the semester in which the course was taken.
Survey on Faculty Service
*Expectations, Evaluations, and Remunerations*

Preliminary findings –
Chairs/Heads:  \( n = 27 \)
Deans:  \( n = 7 \)

### Importance of Service and Estimated % Participation

- **Chairs/Heads**
  - Asst: somewhat – moderately important; 78%
  - Assoc: moderately impt.; 79%
  - Full: moderately – very imp.; 83%
- **Deans**
  - Asst: somewhat – moderately important; 96%
  - Assoc: moderately – very imp.; 96%
  - Full: moderately – very imp.; 98%

### Method of Committee Assignment

- **Chairs/Heads**
  - All ranks:
    - Voluntary = 14 %
    - Voluntary + Encouragement = 66%
    - Assigned = 21%
- **Deans**
  - Assistant = Voluntary + Encouragement
  - Associate = Voluntary + Encouragement
  - Full
    - Voluntary = 17%
    - Voluntary + Encouragement = 83%

### Gender Effects

- **Chairs/Heads**
  - All ranks: no undue burden on women
  - Male faculty have slightly more committee assignments overall
  - Does gender affect service load?
    - Yes – 37%; No – 63%
- **Deans**
  - Equal burden on Asst. & Full
  - However, female Assoc. profs on twice as many committees (3.3 vs. 1.6)
  - Does gender affect service load?
    - Yes – 33%; No – 67%

### Weight Assigned to Service in Hiring, Promotion, & Compensation

- **Chairs/Heads**
  - Assistant: somewhat – moderate
  - Associate: moderate
  - Full: moderate
- **Deans**
  - Assistant: somewhat-moderate
  - Associate: moderate
  - Full: moderate – very much

### Relative Weights of Areas of Service by Rank

- **Chairs/Heads**
  - Assistant – Department more important
  - Associate – College more important
  - Full – Profession more important
- **Deans**
  - Assistant – College more important
  - Associate – College more important
  - Full – Profession more important
- Community service valued less overall
Evaluation and Awards

• Evaluations
  – Chairs/Heads: Qualitative
  – Deans: Predominantly qualitative

• Awards
  – Department
    • No service awards: 79%
    • 1 service award: 11%
    • 3 service awards: 4%
    • 7 service awards: 4%
    • 10 service awards: 4%
  – College
    • No service awards: 50%
    • 2 service awards: 50%
  – University: No awards for service