

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

September 9, 2013

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, T. Barrett, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, A. Denton, S. Duffield, M. Engler, E. Gillam, R. Green, T. Hall, C. Hargiss, J. Harmon, C. Hawley, E. Hilliard, F. Huseynov, X. Jia, B. Johnson, J. Jones, W. Lin, T. Lundeen, K. Maddock Carlin, L. Manikowske, C. Platt, B. Pruess, S. Rahman, S. Sather-Wagstaff, B. Suzen, R. Sylvester, A. Tangpong, L. Thomas, M. Weber, E. Wu, and N. Yu

Substitution: C. Ciuperca for F. Littmann

I. Approval of Minutes

MOTION (Sather-Wagstaff/Hawley): to approve the minutes of the May 6, 2013, meeting as posted.
MOTION CARRIED WITH UNANIMOUS CONSENT

II. Consent Agenda

- Academic Affairs Report ([Attachment 1](#)) -
MOTION (Weber/Sather-Wagstaff): to approve the report as posted. MOTION CARRIED WITH UNANIMOUS CONSENT.

III. General Announcements

a. *NDSU President* –

President D. Bresciani provided the following updates:

- *Funding Formula* – During the last legislative session, a new funding formula was approved for higher education. The old formula had become detached from any objective mathematical process, and resulted in NDSU being grossly underfunded for decades. Governor Dalrymple was the visionary for the new formula, which is more metrics driven, fair and equitable for all campuses. It also is one that garnered the support of most legislators. Within each tier of research, 4-year and 2-year institutions, campuses will be compensated for what they offer and produce, i.e., more funds for higher operating cost programs, as well as higher class completion and graduation rates. Within each tier, there was a campus that received no new funding. Yet all campus presidents agree it is fair based on federal standards and performance indicators. NDSU has been very successful in the past and will be rewarded for that success. Presidents of lower performing campuses also approve of the new model because it will help them affect positive change on their respective campuses. It has removed the competition between campuses and legislators, and campuses no longer have to plead their cases to legislators with subjective outcomes.

Related to funding, the new chair of the legislative higher education committee, Mark Sanford – Grand Forks, holds a Ph.D., and is an advocate for higher education. He has assembled a committee of individuals who also want to see higher education in the state be successful. There will be much more collaboration in finding ways to both improve and highlight the successes of ND higher education.

- Challenges still lie ahead for the State Board of Higher Education (SBHE) and the North Dakota University System (NDUS). A measure will be on the November 2014

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ballot is to disband the SBHE and replace it with a 3-person commission. A complicating factor of the proposed legislation is that the Higher Learning Commission (HLC), the regional accrediting body for ND colleges and universities, does not allow institutions to be overseen by a political body.

The HLC has planned a visit to North Dakota based on a letter of concern received from former campus presidents in the state. The HLC leadership was not satisfied with the response from the former NDUS chancellor, and determined a site visit was necessary. This is the first known case of a site visit to a system (as opposed to a campus). If the HLC is not satisfied that there is adequate and reasonable oversight of the state's higher education system, and if they don't receive specific and compelling answers to their questions, there could be serious implications, including and up to new oversight structures or the loss of regional accreditation of all state institutions.

- Faculty members are strongly encouraged to attend the President's State of the University during homecoming week. Many exciting announcements will be made, which involve almost all areas of campus. It is scheduled for **Thursday, October 10, 11 a.m., Festival Concert Hall.**

Faculty discussion followed the president's updates with questions on the anticipated date of the HLC visit, which has not yet been determined. The president said that details will be shared as they become available. The HLC delegation will likely want to meet with some campus representatives, but that also has not been determined.

b. *NDSU Provost* –

Provost J. B. Rafert made the following announcements:

- *STEM Building* – The advisory committee includes faculty membership from each college. It will be a 130,000 square foot classroom building. The site has been narrowed to one of two locations on campus.
- *Research and Tech Park - RIA Building* – When the new Research 1-A building is constructed, offices will relocate and free up state-of-the-art space in R2. Interested faculty/departments should contact their respective dean.
- *Equity Funding* - Deans have information on how equity funding is being allocated to their colleges. Questions may be directed to them.
- *Matching Funds* – The state has approved a pool \$10 million for NDSU, \$10 million for UND, and \$10 million for the other campuses collectively, which is intended to encourage philanthropic giving to the institutions.
- *HLC* – Regarding the HLC site visit to ND, one of the main criteria to be analyzed is 2.2.c related to the autonomy of the governing board.
- *Council for Improving Advising* – The council, which was comprised of equal membership from Academic and Student Affairs, presented a stellar report that is being reviewed by the cabinet. It will serve as a roadmap as to how to best address issues related to academic advising. This report will be reviewed along with feedback from the Council on Retention before final plans and resources are determined.

Questions directed to the provost by senators dealt with tuition grants/contracts for PIs and health insurance. He reported that due to much higher expenses than initially anticipated, Blue Cross/Blue Shield is rebidding the insurance contract for all students for

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spring semester. This likely will result in a fairly substantial increase in premiums starting in January. NDSU has set aside a small pool of resources to help offset costs of insurance premiums. Also, the Graduate Council has developed a formula to help defray insurance costs for full-time (20+ hours/week) doctoral students. The goal is to have 80% or more of health insurance premiums covered for doctoral students.

IV. Senate Committee Reports

a. *General Education/Accreditation (Attachment 2 & Attachment 3) –*

L. Peterson presented proposed changes to the NDUS General Education Requirement Transfer Agreement (GERTA).

The focus for the new GERTA model is student learning and success regardless of major. All colleges and universities in the state have collaborated on the initiative. A survey of private companies and non-profits by the Association of American Colleges and Universities revealed that employers value innovation, capacities that cut across majors, liberal education, application of skills, and e-portfolios/partnerships. They also place a high degree of importance on critical thinking, communication, the ability to deal with complex problems, and application of knowledge/skills.

The new GERTA requirements are based on AACU's LEAP learning outcomes, which were developed from discussions with campuses, accrediting bodies and businesses nationwide starting in the late 1990s. They are congruent with the learning outcomes approved for NDSU by the Faculty Senate in May 2013, which included intellectual and practical skills, personal and social responsibility, and integrative learning.

The state and institutional general education requirements will move away from a categorical general education program based on courses/credits to one based on learning. Each campus will have flexibility in certifying student competencies. The new model is intended to help campuses measure evidence of what students actually know and can do. In addition, many program accrediting bodies expect learning outcomes evidence as well.

A General Education Summit is scheduled for November 1, for continued discussions. After statewide refinement, the policy change proposal will go to the state Academic Affairs Council and then on to the Chancellor's Cabinet and the SBHE for approval.

Questions yet to be answered include how to determine if a student has met a standard of achievement for degree/course level, and how those achievements will be documented. Questions from senators included how to handle fulfillment of partial learning outcomes; how to work with transfer students with a mix of credits and experiences; and what mechanisms will allow students to demonstrate their proficiencies (i.e., rubrics).

b. *Senate Coordinating Council –*

H. Hatterman-Valenti reported that the first meeting of the SCC is scheduled for September 17.

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V. Unfinished Business

a. Ad-hoc Committee on Curriculum Approval and Review -

The establishment of a committee to review and streamline the roles and responsibilities of various standing committees that focus on courses and curriculum was approved by the Faculty Senate last spring. Discussions are underway to organize a committee with representation from each college and to identify a chair.

MOTION (Sather-Wagstaff/Hawley): to modify the original proposal to allow for the Faculty Senate Executive Committee to appoint a chair of the ad hoc committee. MOTION CARRIED WITH UNANIMOUS CONSENT.

VI. New Business

Hatterman-Valenti made the following announcements:

a. *Senate Coordinating Council Faculty Membership* –

A member of the Faculty Senate is still being sought to serve on the SCC, along with the current president and president-elect. Any senator interested in serving is encouraged to contact Hatterman-Valenti. The committee meets monthly to review policies and route them to the appropriate senates or other channels of approval.

b. *Standing Committee on Faculty Rights* –

An electronic ballot to vote on a new member of this standing committee will be distributed to the faculty and run through the Group Decision Center.

c. *Student Rating of Instruction* –

C. Ray will be invited to the next Faculty Senate meeting to provide an update on the committee's work regarding SROIs. T. Stone Carlson reported that a proposal to test new SROI questions, while still using existing questions, was approved last year by the Faculty Senate. This pilot is intended to determine if the new questions provide helpful information before they are fully adopted.

VII. Adjournment

The Faculty Senate meeting adjourned at 4:45 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary

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Attachment 1

Academic Affairs Committee Report

Approved Curricular Recommendations

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions			
Subject	No.	Title	Prerequisite/Corequisite Change
HNES	154	Professional Preparation in Elementary School Activities	Prereq: HNES 110 Professional Level 2
HNES	255	Professional Preparation in Middle School Physical Education	Coreq: HNES 110
HNES	336	Methods of Coaching	Professional Level 2, Completion of required 100 & 200 level courses
HNES	341	Psychosocial Aspects of Health	Prereq: PSYC 111, HNES 110, HNES 217 Professional Level 2
HNES	461	Administrative & Social Aspects of Physical Education & Athletics	Prereq: EDUC 451 Professional Level 2, Senior Standing

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SBHE Policies

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SUBJECT: 400s: Academic Affairs

EFFECTIVE: November 19, 2009

Section: 403.7 Common General Education Requirement and Transfer of General Education Credits

The following common general education requirement applies to all Associate of Arts, Associate of Science and Bachelor's degrees, except the BAS degree at University System institutions:

GE requirements in North Dakota (NDUS) are met when a student earns 36 semester hours which the home institution certifies as successfully demonstrating accomplishment of the following essential learning outcomes.

Knowledge of Human Cultures and the Physical and Natural World

- Through study in the sciences and mathematics, social sciences, humanities, histories, languages, and the arts

Intellectual and Practical Skills, Including

- Inquiry and analysis
- Critical and creative thinking
- Written and oral communication
- Quantitative literacy
- Information literacy
- Teamwork and problem solving

Personal and Social Responsibility, Including

- Civic knowledge and engagement—local and global
- Intercultural knowledge and competence
- Ethical reasoning and action
- Foundations and skills for lifelong learning

Integrative Learning, Including

- Synthesis and advanced accomplishment across general and specialized studies

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General Education Area	Minimum Required Lower Division Semester Hours
Communications	9
Arts & Humanities	6
Social Sciences	6
Mathematics, Science & Technology	9
Institutional Specific (must be chosen from one of the following four categories: communication, social sciences, arts and humanities, and/or mathematics/science & technology)	6
Total	<hr/> 36

Within the stipulated general education areas For the above essential learning outcomes, each institution shall indicate in its catalog and other student advisement materials how students will demonstrate their competency in these outcomes. the institution's courses approved for general education. University System institutions may establish program and institution specific general education requirements in addition to the requirement stated in subsection 1.

General education courses accepted by any University System institution to demonstrate student competency of any essential learning outcome count upon transfer toward the general education requirement at all institutions in one of the following ways:

A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work meets the general education requirement of the institution from which the student transfers and satisfies the common general education essential learning outcomes requirement stated in subsection 1. Students completing Associate in Science and Associate in Arts degrees at system campuses meet the lower division general education requirements identified in subsection 1.

Receiving institutions may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions, based on the requirements listed above in subsection 1.

In all other cases, general education courses ~~from the areas~~ used to demonstrate student competency in the essential learning outcomes in subsection 1 apply to the appropriate general education requirement of the institution to which the courses are transferred and the number of credits required to complete the general education requirement in each area is determined by the

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policies of the institution to which the courses are transferred; or

Pursuant to guidelines established by the Chancellor for the acceptance of Advanced Placement (AP), College Level Examination Program (CLEP), International Baccalaureate (IB) and DAN TES Subject Standardized Tests (DSST) scores for academic credit.

Articulation agreements between the North Dakota University System and other institutions may enable the transfer of general education credits as a completed unit pursuant to guidelines established by the Chancellor.

Reference: NDUS Procedure - [403.7.2](#) [403.7.3](#)

History:

New policy. SBHE Minutes, June 19, 1998, page 6903.

Amendment SBHE Minutes, May 30, 2001.

Amendment SBHE Minutes, February 21-22, 2002.

Amendment SBHE Minutes, September 18, 2008.

Amendment SBHE Minutes, December 18, 2008.

Amendment SBHE Minutes, November 19, 2009.



*“Putting Essential Student Learning
Up Front in General Education and
Transfer”*

New GERTA (General Education
Requirement Transfer Agreement)

NDSU Faculty Senate
September 9, 2013
Larry Peterson



New GERTA

CONTEXT: “Our Students and Our Work”

- ND colleges & universities are working together to focus on and to improve student learning.
- Employers want GE Learning Outcomes



It Takes More Than A Major:

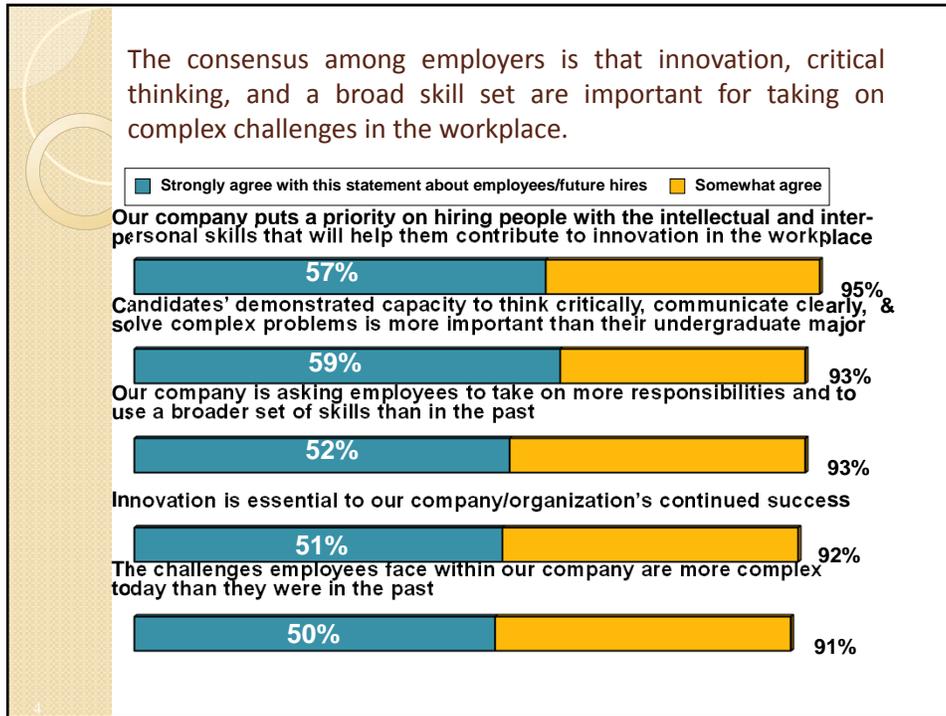
Employer Priorities for College Learning and Student Success

Key findings from a survey among 318 employers
Conducted January 9 – 13, 2013
for the Association of American Colleges and Universities



KEY FINDINGS

- ◆ **Innovation is a priority** for employers, and they report that the challenges their employees face today are more complex and require a broader skill set than in the past.
- ◆ Employers recognize **capacities that cut across majors** as critical to a candidate's potential for career success, and they view these skills as **more important than a student's choice of undergraduate major**.
- ◆ Employers recognize the **importance of a liberal education** and the liberal arts. The majority agree that having both field-specific knowledge and skills and a broad range of skills and knowledge is most important for long-term career success.
- ◆ Employers endorse education practices that involve students in active, effortful work and the **application of skills**.
- ◆ Employers express **interest in e-portfolios and partnerships** with colleges to ensure college graduates' successful transition to the workplace.



New GERTA

- Based on the **Essential Learning Outcomes** from the Association of American Colleges and Universities
- The **Essential Learning Outcomes** were “developed through a multiyear dialogue with hundreds of colleges and universities about needed goals for student learning; analysis of a long series of recommendations and reports from the business community; and analysis of the accreditation requirements for engineering, business, nursing, and teacher education.”

LEAP Essential Learning Outcomes

★ Personal and Social Responsibility, including

- Civic knowledge and engagement—local and global
- Intercultural knowledge and competence
- Ethical reasoning and action
- Foundations and skills for lifelong learning

Anchored through active involvement with diverse communities and real-world challenges

★ Integrative Learning, including

- Synthesis and advanced accomplishment across general and specialized studies

Demonstrated through the application of knowledge, skills, and responsibilities to new settings and complex problems

LEAP Essential Learning Outcomes

- New NDSU Learning Outcomes approved by Faculty Senate on May 6, 2013 are highly congruent with AAC&U's Essential Learning Outcomes.

New GERTA

- First Look: April 2013 NDGE Summit IX
 - NDUS Policy 403.7 (attached to agenda)
 - LEAP Outcomes, not courses
 - Demonstrated competency certified by each campus
 - Campus flexibility
 - “Standards without standardization”

Old and New GERTAs

Present 403.7

- Communication (9)
- Arts & Humanities (6)
- Social Sciences (6)
- Mathematics, Science & Technology (9)
- Institution Specific (6)
- TOTAL = 36 credits

Proposed 403.7

- Knowledge of Human Cultures and the Physical and Natural World
- Intellectual and Practical Skills
- Personal and Social Responsibility
- Integrative Learning
- TOTAL = 36 credits

Old and New GERTAs

Present 403.7

- Little evidence of what students actually know or can do
- Out of synch with accreditors' emphasis on learning
- "One size fits all" Procrustean bed stifling innovation

Proposed 403.7

- Focused on competency-- direct evidence of what students can do (not just "seat time")
- In-synch with accreditors
- Greater campus flexibility
- Better suited to transient, "swirling" students

Next Steps for New GERTA

- Feedback from colleagues
- GE Summit (11/01) share campus feedback
 - Revise New GERTA based on feedback
 - Seek preliminary approval from all campuses?
- Spring 2014 GE Summit XI approves and sends New GERTA to Academic Affairs Council?

New GERTA

- Potential questions
 - How do we know if a student has met the standard of achievement for a particular degree/course level?



New GERTA

- How do we document that the student has met the standard?



New GERTA

- Your thoughts and questions



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The Faculty Senate meeting was held at 3:30 pm, in the Room of Nations, Memorial Union, with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, T. Barrett, K. Benson, U. Burghaus, T. Stone Carlson, A. Denton, S. Duffield, M. Engler, J. Gao, P. Gibbs, R. Green, T. Hall, J. Harmon, E. Hilliard, F. Huseynov, X. Jia, J. Jones, W. Lin, F. Littman, T. Lundeen, K. Maddock Carlin, C. Platt, B. Pruess, S. Sather-Wagstaff, G. Shen, R. Sylvester, A. Tangpong, L. Thomas, M. Weber. N. Yu, and P. Zhao

Substitution: T. DeSutter for C. Hargiss, W. Phillips for L. Manikowske, and Z. Lin for S. Rahman

1. Approval of Minutes

MOTION (Sather-Wagstaff/Green): to approve the minutes of the September 9, 2013, meeting as posted. MOTION CARRIED WITH UNANIMOUS CONSENT

2. Consent Agenda

- A. Academic Affairs Report ([Attachment 1](#)) -
- B. Confirmation of May 2013 Graduates ([Attachment 2](#)) and August 2013 Graduates ([Attachment 3](#))
- C. General Education Recommendations ([Attachment 4](#))
- D. Senate Coordinating Council (SCC) - For Information Only
 - Policy 101: Personnel Definitions ([Attachment 5](#))
 - Policy 183: Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff ([Attachment 6](#))
 - Policy 513: NDSU Collection Policy ([Attachment 7](#))

MOTION (Sather-Wagstaff/Green): to approve the consent agenda as posted. Discussion on whether to add Policies 603 and 721, which inadvertently were excluded from the consent agenda. Due to the scope of the changes, these two policies will be deferred to the next meeting. MOTION TO APPROVE CONSENT AGENDA AS POSTED CARRIED WITH UNANIMOUS CONSENT.

3. General Announcements

A. *NDSU President* –

President Bresciani provided the following updates:

- i. The State of the University delivered during homecoming week summed up events of the past year and addressed anticipated changes for the coming year.
- ii. The new state funding formula will provide NDSU with more resources for scholarly activity.
- iii. A very different relationship with the Legislature is expected with the growth and productivity of NDSU being positively recognized. State reserves may get to a point that investment in a structured conservative endowment to support higher education long-term would be prudent. Such an endowment, as exists in Texas, can only be applied to capital, construction and renovation projects, and other one-time uses of the endowment. This type of model is uniquely suited to the needs of research universities where up-to-date facilities are critical. Smaller schools also benefit when they no longer compete with research universities due to different missions and

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priorities. The goal is to partner with UND on promoting such an initiative before the next legislative session.

Discussion ensued with senators. A question was asked about the 10% budget cuts being returned to academic colleges rather than to departments. The deans will have the discretion to restore funds where the needs are greatest. The provost has offered to present the academic roadmap to the Senate as it relates to the strategic use of resources.

An inquiry was made on the status for the provost search. This will be a priority now that homecoming and the state of the university address are in the past.

Regarding the accreditation site visit of the state university system, HLC is now planning to visit North Dakota in March. It is hoped that this extra time will allow the State Board members to develop a consistent response to this unique situation.

B. President of Faculty Senate –

H. Hatterman-Valenti announced that Tom DeSutter was elected by the faculty as a new Council of College Faculties representative for NDSU.

C. President-elect of Staff Senate –

W. McCrory reported the following:

- i. Staff Senate voted on Policy 133.1, approving the tuition discount for domestic partners. Consideration also was given to heterosexual unmarried couples in committed relationships.
- ii. A scholarship raffle will be held again; more information on ticket sales will be available in the near future.
- iii. A vendor show for home-based businesses is being planned at the Alumni Center. Contact Vicki Miller, Memorial Union, for referrals and more information.

D. Vice President of Student Body –

E. Diederich made the following announcements on behalf of Student Government:

- i. STEM Building – A survey was sent to students assessing their views on Churchill field and the preservation of green space. More than 900 students responded to the survey, and the STEM Building Committee is reviewing that feedback.
- ii. Homecoming – Though the parade, with over 125 entries, was canceled Friday night due to weather, Saturday events were successful.
- iii. Enhancing the Academic Experience initiative – An alumni speaker database is being established for faculty to be able to connect with successful alumni for class presentations, student networking, etc.

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4. Presentation

- *Managing Electronic Communication* - M. Wallman ([Attachment 12](#))

Interim VPIT Wallman presented on the many types of electronic communication that are subject to open records inquiries. He recommends separating work and personal email as much as possible. Open records, privacy and IT security laws and policies, retention guidelines, and the role/responsibilities of the Division of IT were covered. He emphasized the general lack of privacy in the digital age, and the onus on individuals to be purposeful about managing their records and communicating responsibly.

5. Senate Committee Reports

A. *Academic Affairs* – ([Attachment 8](#))

D. Wiesenborn presented *Guidelines for Accelerated Programs*

The guidelines were developed and approved by the Graduate Council last academic year. Due to the language allowing the double counting of up to 15 credits for programs with accelerated offerings, the Faculty Senate was asked to approve them. These guidelines will determine degree clearing for baccalaureate degrees and be included in the University Bulletin. The goal of accelerated programs is to attract and retain high quality students in NDSU masters' degree programs. It also allows them to complete masters' degrees more quickly than in traditional offerings.

MOTION (Sather-Wagstaff/Denton): to approve the guidelines for inclusion in the Bulletin. Brief discussion followed on current accelerated program offerings and how students are coded and tracked. MOTION CARRIED.

B. *General Education/Accreditation/Academic Advising* – ([Attachment 9](#))

L. Peterson presented the following:

- i. General Education Policy 12 – Changes were proposed to the section of General Education policy that pertains to international and domestic transfer credit. The intention is to align policy with current practice.

MOTION (Weber/Gibbs): to approve the proposed policy changes for inclusion in the Bulletin. MOTION CARRIED WITH UNANIMOUS CONSENT.

- ii. General Education Reform - Four subgroups from the Core Undergraduate Learning Committee are coming up with recommended models. A report will be made to the Faculty Senate in the spring.
- iii. Nominees for Excellence in Academic Advising awards are being sought from alumni and students. Faculty members are encouraged to promote to students this opportunity to nominate professional and/or faculty advisers.

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C. *Senate Coordinating Council* –

H. Hatterman-Valenti presented the following policy changes for discussion and vote:

- i. Policy 103: Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings ([Attachment 10](#)) -

MOTION (Sather-Wagstaff/Hall): to approve policy changes. A comment was made and subsequent discussion was held on the Advance Forward group's recommendation for 10 days (v. 5 days) for candidates to apply.

MOTION TO AMEND (Green/Benson): by striking proposed changes to section 2.1 and retaining the 10 day period. MOTION TO AMEND CARRIED WITH UNANIMOUS CONSENT.

MOTION TO APPROVE POLICY CHANGES AS AMENDED CARRIED.

- ii. Policy 168: Reasonable Accommodation on the Basis of Disability – Guidelines for Employee Requests ([Attachment 11](#)) –

MOTION (Sather-Wagstaff/DeSutter): to approve policy changes as presented. MOTION CARRIED WITH UNANIMOUS CONSENT.

6. Unfinished Business

- *Revision of the SROI Questions* – ([Attachment 13](#))

C. Ray, chair of the ad hoc committee on assessment of student teaching, reported that the committee reviewed Policy 332: Assessment of Courses and Instruction and focused on the Student Rating of Instruction (SROI) instrument. He distributed new SROI pilot questions (16), which will be administered this semester. Provost Rafert supported the development of the new forms. Discussion about the new questions/forms included minor suggestions for change and how instructors should/do receive SROI feedback.

7. Adjournment

The meeting adjourned at 5:05 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary, Faculty Senate

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Attachment 1

Academic Affairs Committee Report

Approved Curricular Recommendations

New Courses							
Subject	No.	Title				Crs.	
ANTH	446/646	Latin America & Caribbean: Afro-Latino/as, Gender, Indigeneity				3	
ANTH	470/670	Analysis & Interpretation in Archaeology				3	
ANTH	471/671	Archaeological Research Methods				3	
HIST	435/635	World Environmental History				3	
HIST	477/677	Slavery in the Atlantic World				3	
HNES	460/660	Foodservice Systems Management II				3	
HNES	725	Promoting Health Through Policy, System, and Environment				3	
HNES	745	Community Health Leadership				3	
NRM	322	Environmental Law and Policy				3	
Course Deletions							
MICR	561	Microbiology Laboratory for Pharmacy				1	
PPTH	453/653	Microscopy				3	
PPTH	456/656	Forest and Shade Tree Pathology				3	
PPTH	756	Techniques in Electron Microscopy				3	
Course Changes							
From:				To:			
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.
AGEC	444/ 644	Crops Marketing	3	AGEC	444/ 644	<i>Commodity Trading</i>	3
HIST	474/ 674	Mexico II	3	HIST	474/ 674	<i>Modern Mexico</i>	3
HNES	442L/ 642L	Community Health and Nutrition Laboratory	1	HNES	442L/ 642L	Community Health and Nutrition Laboratory	2
Change in Prerequisites/Corequisites and Change in Bulletin Descriptions							
Subject	No.	Title	Prerequisite/Corequisite Change				
ANTH	450/650	Qualitative Methods in Cultural Anthropology	Change in Catalog Change in Bulletin Description Prereq: ANTH 206; Junior or Senior Standing				
HDFS	468	Families & Work	Req: Junior or Senior Standing				
HNES	350	Fitness Education Activities and Materials	Prereq: HNES 367				
HNES	367	Principles in Conditioning	Prereq: HNES 254				
HNES	782	Orthopedic Assessment II	Change in Bulletin Description				
PHRM	101	Introduction to Public Health	Delete Existing Prerequisites/Corequisites				
New Special Topics (For information only)							
BIOL	199	Antibiotic Discovery	3				
Accelerated/Combined Undergraduate to Graduate Programs (For Information Only)							
B.S. to M.S. Degree in Physics							

NORTH DAKOTA STATE UNIVERSITY

Spring 2013 Graduates

Degree Conferral Date: May 11, 2013

Faculty Senate - Attachment 2

***College of Agriculture, Food Systems, and
Natural Resources***

Bachelor of Science

Etayenesh Endale Abebe
Mitchell Paul Agre
Derek Wayne Aho
Christopher Alan Akers
Jade Levi Albrecht
Rachel Kate Anderson
Samuel Ronald Anderson
Kylie Jean Artz
Sumit Asija
Bayarbat Badarch
Laura Jean Bade
Loren Lydia Baranko
Jesi Ann Beauchamp
Caitlin Claire Berschneider
Anders John Bleth
Jacob Edward Boersma
Kiersten Foss Bourgault
Alison Justine Bowman
Devon Orris Brakke
Samantha Briss
Alexander Allen Brodal
Katherine Danielle
Trenton Edward Bruner
Ryan Richard Buetow
Lindsey Ann Bultema
Jacob James Burbach
Michael Allan Burkle
Kadie Marie Christiansen
Kylie R. Cirks
Laura Jean Compart
Abigail Ruth Debner
Elma Dervisic
Emily Frances Dilliard
Kathleen Rae Dunsmore
Andrew James Dusek
David Jacob Dybdahl
Karl Martin Effertz
Fatima Azzahra El Hassani
Daniel Timothy Elemen
Dylan Jacob Erickson
Nicholas Steven Erickson
Daniel Allan Eslinger
Matthew James Fedje

Marcy Ruth Fell
Jared Lee Flemming
Brandon Alan Flynn
Charli Linda Fradella
Colton W. Gapp
Alicia Lauren Garcia
Daniel Giesen
Cole Martin Gigstad
Joseph Michael Goeden
Cody Thomas Grasswick
Evan Anthony Guler
Anthony John Haas
Andrew Roger Haberman
Marie Amber Hagemeister
Bradley John Hagen
Bryce Alan Hample
Nathan Hans Haugrud
Ryan Christopher Heiser
Matthew Michael Hockinson
Phillip Alexander Hofmann
Sherlynn Marie Humann
Wei Jiang
Leah Joy Johnson
Joseph Michael Kallenbach
Shara Christine Karsky
Mark John Kauffmann
Parminder Kaur
Jacob Farrell Keith
Colin Connor Kjesbo
Tyler John Klugman
Anthony Tice Knox
Katie Lynn Knutson
Adelina Kovacevic-Cosic
Jordan A. Kraft
Emily Rose Krieger
Matthew Thomas Antonio Krusen
Kelly Ann Kuylen
Ethan Donald Kylo
Job Edward Malesh Lado
Brandon James Langaas
Seth Galen Larson
Paige Marie Laufer
Mason Michael Lautenschlager
Chad Hartman Limesand
Sam Bruce Livingston
Matthew Richard Lobitz
Ethan James Markestad
Tyrell Douglas Martin

Melissa Catherine McCann
Autumn Marie McDougall
Marcy Anne McNichols
Stephanie Jo Milbrath
Laisha Lynn Miller
Jenna Lee Moser
Andrew John Muehlberg
Shaina Marie Mulvaney
Donn Russell Nelson
Ellen Anne Nere
Patrick Arnold Neumann
Kayla Marie Nordahl
Paul Jonathan Nystuen
Bryce Edward Olson
John Timothy Ostenrude
Evan Isiah Pilgrim
Kellie K. Podliska
Samantha Jo Pollestad
Nathan Lee Quandt
Manasi Kamalakar Ratnaparkhe
Nicole Marie Richardson
Emma Catherine Robbins
Kelsey Marie Rogness
Cameron Troy Roudy
Shara Colleen Rusten
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Bradley L. Schmidt
Lucas William Schmiesing
William Hartford Schuler
Brandon J. Schulzetenberg
Errin Ann Schwalbe
Anthony Jerome Schwartz
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Joshua R. Seibert
Brittany Kay Seifert
Louis Shrestha
Chad Jason Smith
Michael Lewis Smith
Christopher Dean Sommers
Michael Aaron Steeke
Cayley Lynn Steen
Breanne Nicole Steffan
Derrick Michael Suda
Kayden Neil Svarstad
Joshua Lars Swanson
Thakshayni Thevathasan
Kelsi Marie Thunshelle
Elizabeth Kay Trythall

Jacob Lloyd Weinreis
Shane Bradley Weller
Dona Suranga Hemali
Justin Robert Wiertzema
Christopher Robert Wilke
Andrew Warren Willyard
Bryce Allen Woodbury

Master of Science

Carl A. Anfinson
Cory John Barth
Ryan Burciaga
Jaesung Choi
Adam Christopher Chyle
Nickolas Alois Dufek
Nathan Scott Hayes
Ty Cordell Lynnes
Grant Mehring
Ran Shang
Rachel Anne Shjerve
Joseph Henry Stegmiller
Qingqing Yin

Doctor of Philosophy

Filippo Maria Bassi
Achala Nepal
Gurleen Kaur Sandhu
Megan Leigh Van Emon

***College of Arts, Humanities, and Social
Sciences***

Bachelor of Arts

Kelsey Marie Arntson
Jocelyn Anderson Beck
Kelli Lynn Beyer
Samantha Rae Billing
Emily Elizabeth Black
Bailey Ashton Brazier
Brian Mathew Bubach
Jackson V. Fowler
Rachel Michelle Geiser
Alice Iannantuoni
Ellie P. Knoll
Dominic Joseph Manthey
Kyle Austin Markwardt
Chad Everett Olson

Erica Reno Rapp
Aaron Robert Rudebusch
Chad Jack Willson

Bachelor of Fine Arts

Justin Joseph Heim
Matthew Elgy Ingalls
Kcarie Lynn Ingerson
Katharine Rae Strom
Chamanthi Sandulika Weeratunga

Bachelor of Music

Mark Norman Aamold
Ryan P. Barry
Jocelyn Kay Baumann
Carolyn Clare Braus
Travis Francis Bregier
Emily Grace Custer
Kelli Marie Dahl
Bernadette Maria Fromherz
Mikkel Sebastian Haas
Michael David Johannes
James Peter Millican
Danielle Rae Olson
Antoine Fabien Poitras
John Joseph Schreier
Diane Julia Stjern
Michael Frederick Walker

Bachelor of Science

Abigail Rose Anderson
Danielle Elizabeth Anderson
Luke Anderson
Ryan Mark Anfinrud
Chris Thomas Argenziano
Abigail N. Armstrong
Austin James Bagley
Alex Gregory Balk
Nicole Corrinne Ball
Kellam Paul Barta
Angela Ann Beaton
Paige Elizabeth Beck
Scott Jeffrey Becklund
Morgan Michaelle Bindas
Bailee Marie Blaeser
Thomas Franklin Bluestone
Ryan Michael Borstelmann
Erik Jacob Bourquin
Joshua Mark Bredehoeft
Josephine Marie Breen
Kaleb Alton Brunswig
Branden Alexander Bulawa

Chantae Alyce Busse
Mitchell Bryant Calkins
Melissa Ann Carruth
Kylah Michelle Cech
Brittney L. Collins
Lukas Wade Croaker
Shelby Leigh Deckert
David William Denne
Caitlin Carol Dolezal
Justin Paul Donner
Ryan Jerome Douglas
Bryce Carroll Drapeaux
Caitlin Leigh Drogemuller
Tanya Kay Engelhart
Kaitlen Elizabeth Engen
Melissa Marie Eslinger
Jaden B. Fedora
Jordan J. Fleck
Lisa Anne Folstad
Robert W. Frasier
Ashley Elizabeth Fremder
Samuel Tucker Fuhrman
Dustin John Fulton
Gerald C. Gallenbeck
Joseph Benito Garner
Marcus John Geffre
Kelly Darlyne Gemmill
Patrick Stephen Gerttjens
Robin Mureen Gillespie
Stephen Michael Glasser
Briana Kae Goebel
Raquel Rae Grad
Heidi Ann Hagberg
Wesley James Hagel
Joshua William Haider
Abby Leigh Hammes
Joshua Michael Haugen
Ella Ruthann Hein
Caitlin Rose Hinnenkamp
Amanda Jo Huiras
Sydney Luverne Hull
Elizabeth Rose Huwe
Samuel Edward Isfeld
Eric Michael Itzin
Logan Lee Jangula
Zachary Dale Jendro
Nicolas Michael Johansen
Kathryn Ann Johnson
Brandon Cody Klein
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Karli Lynn Kopietz

Veronica Kathleen Krile
Daniel Ryan Kusler
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Michael Ray Larson
Sutton Conrad Lauinger
Jenna C. Lee
Alyssa Ann Lipsiea
Taylor Ann Lubovich
Joseph Allen Lund
Nathanael W. Macy
Benjamin John Madsen
Andrea Terese Mann
Hannah Summer Manstrom
Christopher Benneton Martinez
Thomas Lee McCarthy
Trevor James McDowell
Staci Lee McPherson
Siara Melius
Brittany Carr Moen
Travis Lee Myers
Katlyn Marie Nap
Noah Rodney Nash
Kristy Marie Nelson
Nathan Henry Nelson
Ryan Keith Nelson
Derek James Norby
Eric John Nystrom
Jonathan Jay Okstad
McKenzy Hope Olson
Jeffrey James Opgrand, II.
Elly Frances Peterson
Mitchell Jon Peterson
Jeffrey James Potter
Nicholas Robert Proulx
Jennifer Cathline Pruet
Tehryn Thea Ratchenski
Taylor LaVonne Renkes
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Jordan Peter Rodewald
Lorin Peter Ronken
Jennifer Jean Rothschilder
Jonathan Darwin Rott
Amanda Lee Ruhl
Alyssa Christine Rzeszutek
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Kyle James Seehusen
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Kyle Smestad
Lauren Marie Sobolik
Bryant Ambrose Spaeth
Jillian Elizabeth Spokely

Christopher Orion Stallman
Joel Micah Stegman
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Adam Victor Swanson
Zachary James Swanson
Jacinta Marie Thieschafer
Ethan Edward Thompson
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Sarah Joy Urlacher
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Linda Elizabeth Vasquez
Anthony Martin Vogel
Kaicey Ann Volk
Travis Kevin Wagman
Brianna Lynn Way
Carley Nicole Weaver
Ali Renae Werre
Morgan Ann Wiedrich
Challis Dern Williams
Katherine Marie Wolfe

Master of Arts

Hailey Anne Adkisson
Jared Nathan Fougner
David A. Lemke
Marney Rae Mathiasen
Jaishikha Nautiyal
Nurjahan Perveen
Erin Melissa Stack
Matthew B. Warner

Master of Music

Brett T. Goetz
Marvon Chad Green
Michal S. Lang
Jessica Anne Rogstad

Master of Science

Nazgul Borkosheva
Jessica Rae Brown
Regine Laurence Chauvet
Aleczandre Nikoluas Cole-Corde
Melinda Sue Fangman
Tara Beth Freed
Margaret M. Shepard

Doctor of Musical Arts

Michael Patrick Culloton
Eric Michael Saari

Doctor of Philosophy

Julie L. Fudge
Amorette Nicole Hinderaker
Cindy Lee Larson-Casselton
Karen Jane Sorensen

College of Business**Bachelor of Science**

Sara Patricia Albani
Charles Theodore Sveen Anderson
Paul Randall Anderson
Levi John Arneson
Daniel Paul Audette
Justin Paul Bachman
Ellie Maria Bjornstad
Rachel Anne Black
Jamie Kathryn Blazek
Preston Lee Blazek
Jennifer Rae Bogart
Tyson D. Bosse
Lucas William Brodeur
Jeffrey John Caillier
Colton James Carey
Ian Matthew Carlstrom
Ian Carlson Carr
Hungyu Chien
Nicholas Charles Chirhart
Kyle James Christensen
Jason Charles Churchill
Daniel Joseph Colombo
Gloria J. Coombs
Alison Marie Corwin
Laura Dawn Dallmann
Cady Nicole Diemert
Kelsey Anne Dirnberger
Brock E. Drayton
Drew Michael Eichele
David August Enyart
Barry John Erickson
Courtney Ann Flyberg
Eric Paul Fritchman
Christopher John Stern Fuchs
Michelle JoAnn Full
Molly A. Gilbert
Yuqi Gong
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Lucas Scott Gramlow
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Brady Steven Hansen
Trevor Jonathan Hart

Brady James Hendricks
Benjamin James Herauf
Brian John Hermanson
Heather Laine Holm
Emily Nicole Honebrink
Melissa Kay Huber
Jessica Leigh Hurlbut
Samuel Duncan Jacobs
Seonghun Jang
Nicholas Ronald Jensen
Andrew John Johnson
Kelsey Allyn Johnson
Maleah Lynn Johnson
Andrew Pride Karges
Matthew Adam Keller
Kirk Kenneally
Annie Lynne Klebe
Hannah Marie Klovstad
Ryan Jacob Knutson
Damir Kolakovic
Cole P. Laber
Matthew Willard Lee
Jonathan Michael Libbrecht
Daniel Steven Loch
Nathan Richard Mathison
Brady Lee Miller
Brent Lee Miller
Jeremy Allen Miller
Leah Marie Miller
Cody Lynn Mills
Aaron Matthew Minear
Faisal Abdi Sharif Mohamed
Garet Thomas Molde
Alison Marie Moser
Matthew Thomas Nagel
Nicholas Warren Nelson
Vy Hoang Yen Nguyen
Cassandra Marie Nordman
Spencer Logan Nordman
John Michael O'Brien
Andrea Marie Olson
Bergen Russell Olson
Mindy Sue Ouren
Landon Jeffrey Padrnos
Joseph Thomas Pahl
James Wayne Parise
Sarah Christine Pechacek
Nicole Renae Petersen
Brent Dean Plante
Jonathon Wade Ponting
Kaylene Rachelle Prigge
Bennett James Remillard

Travis Dale Reynolds
Robert James Richards
Cody David Rieland
Eric David Roethel
Eric John Rosenblad
Brent Alan Sanden
Ian Sanders
John Samuel Schaible
Daniel Edward Schaner
Aaron John Schenck
Eva Marie Schmitt
Samuel Stephen Schreier
Tanvi Sharma
Minjuan Sheng
Olivia Rose Spencer
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Liren Sun
Brian Lee Sutherland
Camarae Ann Svihl
Chelsea Marie Swanhorst
Joshua Paul Teegarden
Benjamin Scott Thompson
Ryan Mark Thorson
Garret Dirk Tornquist
Jared Michael Ueland
Allan Augusto Venegas
Cody Allen Veselka
Nathan Allan Wanner
Casey David Weber
Curtis Brian Wesbur
Danielle Marie Whalen
Travis Alvie Whirley
Michael Wicklund
Matthew Michael Wingard
Chong Xia
Steven Ross Ystebo
Zane Blaine Zieman
Whitney Marie Zink

Master of Accountancy

Derrick L. Blomstedt
Rebecca Ann Cunningham
John Thaddeus Ell
Matthew Bryon Itterman
Ryan Neil Jastram
Brandi Lea Kaber

Master of Business Administration

Michael Jon Anderson

Armin Arnautovic
Hiral Rajiv Bhatt
Ipshita Borgohain
Michael Ryan Cooper
Alan Albert Davies
Gina Michelle Hough
Jason Lee Hulstein
Ahmed M. Kamel
Jared James Kappel
Justin William Mack
Adam Mahar
Timur Mustafayev
Logan D. Neal
Matthew S. Surprenant
Thach Trinh
Mbang Umanah

College of Engineering and Architecture**Bachelor of Landscape Architecture**

Richard Leo Aubol
Jake John Coryell
Elizabeth Marie Dahl
Courtney Noel DuChene
David L. Eisenbraun
John Gronhovd
Philip David Gruhot
Priscilla Anne Gurath
Dustin Hochhalter
Zach Johnson
Ashley Christine Kaisershot
April Kathryn Lipatan
Emily Claire Neuenschwander
Adam Dean Olson
Quinnlyn Marie Sackreiter
Joseph Louis Scheffler
Jena Marie Stanton Nolte
Nathan C. Thomas
Jacob Kyle Williams

Bachelor of Science

Dane Patrick Andersen
Nicholas Scott Anderson
Richard Leo Aubol
Matthew Mark Avard
Jamie M. Barrows
Jeffrey Francis Bauer
Catherine Leigh Becker
Alicia Jo Brackel
Ward Daniel Briggs
Nicholas Scott Buck
Tyler Scott Buerkle

Holly Ann Burley
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Casey Robert Cotcamp
Elizabeth Marie Dahl
Taylor Ross Dahl
Courtney Noel DuChene
Jason Taylor Economos
David L. Eisenbraun
Leah Katherine Fagerland
Matthew Clifford Fremstad
John Gronhovd
Philip David Gruhot
Priscilla Anne Gurath
Blake Gregory Hagen
Dustin Hochhalter
Zach Johnson
Cassandra Lynn Johnston
Colby Lee Judovsky
Ashley Christine Kaisershot
Stephen William LaGrange
Jakob Douglas Lawman
April Kathryn Lipatan
David Joseph Majchrzak
Steven Paul Martz
Karissa Joe Meiers
Lindsey Kay Minnich
Joshua David Muckenhirn
Emily Claire Neuenschwander
Adam Dean Olson
Shawn S. Pauly
Kyle Patrick Pederson
Matthew John Peick
Jill Elizabeth Pexa
Brett Michael Rathbone
Jacob James Reimers
Erin Christine Saarela
Quinnlyn Marie Sackreiter
Joseph Louis Scheffler
Matthew Reuben Skoglund
Jena Marie Stanton Nolte
Jacklyn Paige Surat
Brittany Lynn Taplin
Nathan C. Thomas
Jetse Vollema
Heather Dawn Weaver
Matthew James Weiss
Jacob Kyle Williams
Wenyi Zhang

Bachelor of Science in Agricultural and Biosystems Engineering

Aidarus Sharif-Hashim Abdinasir
Lisa Kay Buchholz
Zane Myron Frick
Steven Thomas Gruber
Jody Hanson
William Andrew Knox
Jacob Anthony Livingston
Janelle Rebecca Mauch
Christopher Alan Mortenson
Joshua R. Seibert
Nolan Gary Swenson
Nicole Karen Wallace

Bachelor of Science in Civil Engineering

Jorge Alejandro Aubinel Alvarez
Travis Lee Berends
Jesse Lee Berg
Kirsten Leigh Booth
Tyler Michael Brown
Brandon Mark Bucholz
Jerad H. Daul
Daniel Timothy Elemen
Stacy Mary Engelmeyer
Thomas John Fakler
Brent Michael Flaa
Jared Lee Flemming
Danielle Jeannette Franssen
Blair Kent Fredrickson
John David Gallagher
Jordan Mark Gerber
Brady Lee Hausler
Kyle Michael Hibbs
Grant James Kuper
Jordan David Larson
Michael Nathan Leonard
Xiao Liang
Kyle David Litchy
Jennifer Sue Martin
Weston Allen McGruder
James Robert Mickelson
Kenneth Mueller
Shawn Michael Nixon
Chukwuebuka John-Paul C. Okoye
Bryce William Oswald
Adam DeSleer Ourada
Blair Ellery Randall
Alex Austin Ranz
Tyrel Jesse Rebel
Thomas William Reisdorf
Nicholas James Revoir

Joseph Daniel Rezac
Aaron Richard Schulzetenberg
Colter Jayden Schwagler
Thushara Buddhika Siriwardanage
Mitchell Thomas Swanson
Trevor Gary Thompson
Samuel Al Traut
Andrew Joseph Tuck
Casey James Walleen
Aaron D. Wellman
Kristen Ann Weninger
Ricardo Robert Zamora

Bachelor of Science in Computer Engineering

Michael LeRoy Anderson
Kyla Katherine Miguel Domingo
Hendryk Max Richard Herzog
Stephanie Nicole Jantz
Adam Edward Koski
Nickolas Allan Krebsbach
Joseph Louis O'Donnell
Ian Marcus Wichmann
Gerardo Alejandro Zamora

Bachelor of Science in Construction Engineering

Jeffrey Thomas Albrecht
Jesse W. Grinsteiner
Toni Magdalena Haider
Darren W. Jensen
Jarred Lee Kowalski
Jacob Stephen Marchiafava
Kyle David Reedstrom
Swee Fong Yong

Bachelor of Science in Construction Management

Eric David Aeling
Corey Michael Arones
Nathaniel Wendell Berg
Evan Lowell Bueligen
Samantha Christine Crow
Quincey Lee Faul
Max Joseph Foley
Christopher William Gamble
Laura Danielle Gerold
Daniel J. Imdieke
Ryan Curtis Jenson
Trevor Joseph Keller
Ryan Dakota King
Brian Charles Lambrecht

Bryant David Larson
Andrew Grant Lien
Luke Andrew Lubahn
Ryan James McDonald
Ronald Andrew Molitor
Joshua Paul Prudhomme
Kory Paul Reiners
Eric Ward Sessing
MacKain Edward Stoll
Taylor Edward Terpstra
Marshall Gregory Thomas

Bachelor of Science in Electrical Engineering

Aaron Nicholas Aaberg
Mohammed Eid Albalawi
Joshua David Anderson
Sam Joseph Ewen
Surabhi Gandhi
Bolan Maxwell Gleason
Jared Rudy Gratzek
Nicholas Lee Graumann
Alan John Grossman
Jacob MacKenzie Heck
Peter Jacob Hettwer
Nathan Daniel Jangula
Ryan Jacob Koch
Indika Prasad Kodagoda Pathirage
Kar Mun Koh
Jesse Benjamin Kohn
Peter John Kronberg
Lance Michael Larsen
Scott Alan Larson
Zachary David Leyk
Kshitij Mannar Maurya
Kevin Lee Moen
Tyson Robert Morlock
Dominic Lee Nelson
Vishav Pandhi
Kellen Dean Perry
Virgilio D. Sandoval Castillo
Bradley Kim Schleusner
Sean A. Seifert
Kyle Patrick Snyder
Kyle David Solie
Cole David Teske
Daniel Wallace Ugelstad
Samuel N. Wehri
Tharidu Mewan Wickramaratne
Nathan Matthew Zimmerman

Bachelor of Science in Industrial Engineering and Management

Abhishek Bajaj
AKP Alexandra Nimal Chamara
Dominic Daniel Drees
Michaela Marie Groninger
Justin Hazemann
K. R. Gayan Hansaka Jayasinghe
Seth Erick Johnson
Junsuk Kim
Jeffrey Richard Klemond
Cristin Marie Langevin
Mahmoud Hesham Mostafa
Justin Luke Nelson
Nan Shi
Karl L. Sommerfeld
Nicholas Robert Strugar
Xun Yu

Bachelor of Science in Manufacturing Engineering

Robert Michael Field
Yiwei Han
Travis Estall Hutchins
Brett Allen Johnson
Albert Francis Mattison
Taylor Randall Waloch

Bachelor of Science in Mechanical Engineering

Shauntel Rose Barnes
Reese D. Black
Bryce Alan DeWilde
Aaron P. Dunbar
Sara Kay Edinger
Neal Thomas Eidenschink
Jared Lee Ellis
Blake Joseph Elsen
Burton Deven Fischer
Alexander Paul Flage
Aaron Matthew Frederick
Andrew Nicholas Froehling
David Martin Gilbery
David Paul Gutschmidt
Joseph Hans Heruth
Dustin D.C. Heuer
Emily Rose Imdieke
Nathan Wayne Jurgens
Kyle Matthew Keidel
Justin Robert Krogsrud
Taylor K. Krosbakken
Kevin Patrick Kuechle

William James Kuehn
Mitchell Morgan Lee
Brandon Douglas Levenson
Matthew Dale Lewis
Wei Yang Lim
Brandon Bernard Lisburg
Kali Ann Luick
Kory Donald Mensing
Isaac Karl Michaelson
Thomas Joseph Mittelsteadt
Bradley Roy Monahan
Jonathon Jeffrey Nagel
Andrew Kristian Narvesen
Robert Allen Neubauer
Brian Douglas Nibbe
Michael James Nies
Luke Michael Novak
Casey Roy Orgon
Nathan Jared Piercy
Marcus William Pratt
Michael Jerald Schmidt
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Aaron Scholtz
Kevin Scott
James Douglas Seidel
John William Simon
Travis Lee Stoffel
David John Sundquist
Dennis Jacob Theisen, Jr.
Chase Voorhees
Benjamin Thomas Walter
Kyle James Weisbeck
Benjamin Adam Welle
Dylan John Wolf
Mark Eugene Zachmann

Master of Architecture

Ali Abdul Mohsen AlQattan
Ari Michael Anderson
Gabriela Baierle
Brittany Marie Bauer
Brad Steven Benke
Aaron Jacob Blaha
David John Booth
Seth Dean Brandsrud
Joseph Richard Conway
Luke Daniel Diekman
Kimberly Ann Farmer
Whitney Beth Feimer
Kelly Marie Fichtner
Paul Andrew Flotterud
Ryan Patrick Fugleberg

Justin Fuhs
Michael Lyell Galloway
Kevin Mark Gamelin
Rachel Marie Gemlo
Virginia Lea Hausladen
Thomas Michael Homic
John Huebsch
Amar Ali Hussein
Jeremiah Johnson
Mallory Ann Johnson
Alexis Jenna Kautzman
Drew A. Kierzek
Grant Charles Koenig
Sara Anne Kolpack
Devin A. Krugerud
Kyle Adam Lacek
Eric William Lagergren
Sara Elizabeth Lillegaard
Joshua Glenn Litwiller
Sarah Marie Lockwood
Craig Michael Martin
Amanda Kelly Mauch
Blain Alexander Mikkonen
Dominic Adam Monson
Lisa Christine Ostlund
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Courtney Ann Pickett
Shanaka Ranganath Bandara
Ploiphan Saengporm
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Samantha Danelle Schultz
Erik Joseph Schwarzkopf
Prashanta Singh
Nicholas John Sortland
Tyler Specht
Michael Ray Stark
Andrew John Suby
Kris Matthew Thielen
Courtney Christine Thompson
Ryan Mark Thomsen
Derek Brandon Twogood
Megan Kyong Un Ward
Emma Jane Wey
Jacob John Windschitl
Miriah Lynn Wright

Master of Construction Management

Jacob Nigel Kuntz
Steve Michael Philip Newell
James Louis Perry

Master of Science

Ahmad S. Anna
Rusha Banerjee
Layne Albert Berge
Linjing Che
Luke Ryan Gibbon
Mahesh Madan Gundecha
Kamran Majeed Khanzada
Akshaya Mohan
Mohammad Mofigul Islam Molla
Sanjay Nariyal
Xiaofeng Qu
Connie Rokke
Claudia Sueli Magalhaes Sampaio
Romit Sarkar
Anushree Sharma
Varinder Pal Singh
Leslee Loren Storlie
Rucha S. Sule
Brad Traeger
Jessica Lynne Lattimer Vold

Doctor of Philosophy

Sita Krajangpan
Gong Li

College of Graduate and Interdisciplinary Studies

Certificate

Kueh Fei Bong
Elena De La Pena
Joshua Isiko
Rita Mwima
Marvin Apollo Ssemadaali

Master of Natural Resources Management

Patricia Goosen-Alix
Mieko J. Griffin
Brittany L. Hawk

Master of Science

Steven John Atwood
Steven M. Fasching
Sonali Mehta

Master of Transportation & Urban Systems

Brett Arie Korporaal

Doctor of Philosophy

Alan Gabriel Dybing
Harjyoti Kalita

College of Human Development and Education

Certificate

Hailley Anne Adkisson
Jamie Riehl Cupit
Jonathan Andrew Dees
Laura Catherine Farrell
Mun Yee Kwan
Rosemary Mlekwa
Carrie Elaine Werkmeister-Karki

Bachelor of Arts

Lisa Dawn Fricke
Rachel Ann Herme

Bachelor of Science

Erik Matthew Aakre
Heather Ann Aal
Jennifer Bryn Adahl
Anne Renee Adrian
Nimo Abdullahi Ahmed
Ciara Lynn Aldrich
Brianna Jean Anderson
Brianna Caroline Anderson
Elizabeth Gene Anderson
Katrina Lynn Arndt
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Amanda Marie Avard
Tabitha Jo Bahl
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Michael David Benson
Quinn David Benson
Nathan Drew Bjoralt
Irena Bobicic
Alyssa Lucy Bolme
Miranda DeAnne Bonk
Sharon Kathrine Boots
Tyler Jarred Brendel
Rachel Miriam Brindle
Leslie Ann Brost
Kinsey Megan Buchholz
Amanda Carey
Logan William Carblom
Rilee Elizabeth Carufel
Andrew Dale Churchill
Stacey Jo Crocker
Kelly Jean Dahl
Kimberly Grace Dale

Kylie Desiree Dale
Halie Marie Dalzell
Megan M. Dean
Lilian Alinda Del Rio Navarro
Kayla Marie Deschamp
Alexa Ann Deschene
Calli Lyn Doggett
Teila Ann Douglas
Ethan Cole Drew
Reed Joseph Duchscher
Heidi Samantha Duncan
Amanda Lyn Ellingson
Benji Allan Emery
Kyle Stephen Engdahl
Mark Alan Erickson
Megan Anne Erickson
Kari Ann Faul
Jordan Dean Feltman
Keely Ruth Ferguson
Emily June Flemming
Jessica Kay Flock
Erin Kay Foley
Marlena Fongthian
Kyle Leigh Francis
Lacey Elizabeth Frank
Nathaniel Adam Freng
Mitchel David Frey
Jenessa Dawne Fritel
Jessica Marie Furlong
Matthew Glende
Cassandra Rae Gullickson
Stevie Nicole Hagen
Alyssa Jo Haglin
Brittany Mae Hanson
Jacob Paul Hanson
Jay Thomas Hartman
Cydney Rebecca Hasselberg
Darcy Marie Hauth
Taylor Daine Heck
Laura Marie Heilman
Lindsay Dawn Hellevang
Skyler Elyse Hendrickson
Alexander Allen Henricks
Megan Marie Herges
Kerri Ann Hoheisel
Sarah Ann Honzay
Stephanie Lauren Hulet
Samantha Jo Jacobsen
Sara L. Jarvis
Mary Kathlene Jensen
Kathryn Faith Johnson
Kyle Johnson

Katie Marie Jorissen
Derick Loyd Jungling
Hannah Jaelyn Kellar
Stacie Jo Keller
Sara Christina Kinzler
Katelyn Nicole Kirschenmann
Erin Marie Krebs
Gannon Roger Kriel
Matthew David Kroneberger
Zachary Anthony Kuseske
Jordan Devoroux Landsiedel
Sizhe Li
John J. Liekhus
Devin James Lillegaard
Adam Reed Lindstrom
Casey Scott Lipp
Dana Michelle Lofstrom
Nicole Marie Luther
Jordan Kimball Lutovsky
Sara Jo Mack
Evan Michael Martell
Nicole Marie Mattson
Whitney Marie Mayer
Laura Rose McMartin
Jilayne Marie Michelsen
Jana Marie Millner
Brandon James Moeller
Kristen Kay Moffatt
Janet Rynae Morken
Brooke Lauren Morris
Taylor Marie Mortensen
Bethany Joy Motley
Lauren Amanda Nash
Tessa Marie Neether
Courtney Michele Nelson
Kari M. Nelson
Kelly Noel Nelson
Dianna Lynn Niemann
Rebecca Marie Nolte
Jennifer Lynn Noreen
Chantel K. O'Brien
Kane R. Olson
Shane Thomas Ornelas
Whitney Diane Pandolfo
Billie Jo Marie Parisien-Fischer
Caitlin Renae Pearson
April Rose Peterson
Jason Lee Peterson
Aimee My Phung
KeAnna Rose Piechowski
John William Pike
Alyssa Kristine Portner

Ashli Collette Powell
Andrew Jay Preston
Kendell Thomas Proell
Sara Josephine Raap
Krista Danielle Readell
Jennifer Lynn Reemtsma
Angel Lynn Retzlaff
Brianna Joy Rindy
Joel Myles Riopelle
Emily Kay Roesler
Allison Anne Rubie
Aaron Robert Rudebusch
Valerie Joanne Rust
Craig James Schatz
Beau John Schmaltz
Lucas Blaine Schmaltz
Averi Louise Schmidt
Ethan James Schnabel
Melissa Ann Schulz
Billi Jo Sczepanski
Kole Austin Seiler
Cassidy Mitchell Semanko
Jazmin Ciara Shipley
Emily Ann Simonsmeier
Hanna Spenser Skaalrud
Kristen Marie Smith
Jennifer Noelle Soland
Robert Glenn Sorensen
Julia Michael Stark
Molly Jean Stenstrom
Ann Marie Stewart
Christi R. Stoll
John Abraham Straka
Emily Ann Stremick
Amanda May Stumpf
Jessica Joanne Suchor
Katelynn Marie Tamayo
Nathan Patrick Thooft
Megan Marie Tiede
Paige Nicole Tomperi
Kelsey Marie Vetter
Justin R. Wagner
Eric Willis Wasvick
Ashley Kae Wehri
Kristin Anne Welinski
Kaeli Shae Wendt
Teresa Lynn Werner
Erika Marie Wiger
Joshua David Will
Stacey Elisha Wiltse
Teah Gloria Mae Wolden
Brenna Dawn Wolter

Jocelyn De Andra Woodward
Mengjun Xie
Ashley Marie Young
Matthew George Zimmerman

**Master of Athletic
Training**

Samantha Josephine Bourcy
Tiara Jean Fuhrmann
Tiffany Marie Giese
Ashley Rae Palmer
Jessica M. Rundall

Master of Education

Rebecca Bea Chyle
Laura K. Engelman
Jessica Nicole Gunderson
Amanda Sophia Huettl
Merry Ann Kellerman
Jennifer Marie Lambrecht
Lisa Lynn McNamara
Justin W. Messer
Nathaniel Messick
Elizabeth Ann Novacek
Rachel Ann Olson
Megan Amanda Paradis
Kyle Peltola
Marc Ritteman
Danielle J. Schoeler
Josh S. Svor
Brandy Lynne Tjelde
Samantha Marie VanWechel-
Ashley Marie Vogel
Kylie E. Wallender
Scott G. Wisness
Jamie Edward Zuel

Master of Science

Lisa Berdal
Kathrine Rose Christensen
Phillip M. Faught
Mark Ryan Goodman
Kerrie Ann Hert
Eric R. Issendorf
Kasey Bo Koepplin
Brittain Cliff Ladd
Michael Anthony McKenney
Andrew Scot Mondry
Samantha Jean Narveson
Daniel William Weiler
Amanda Jo Weston
Charley J. Young

Doctor of Philosophy

Lane Alan Azure
Gregory Dean Carlson
Laurie Kay Dahley
Alexa Leann Evenson

***College of Pharmacy, Nursing, and Allied
Sciences***

Bachelor of Science

Beth Avis Burns
Jennifer Lynn Dotzenrod
Colton Trae Knox
Troy Micah Longtin
Landon Benjamin Rachel
Ashley Setter
Erin Linsey Smith Elznic
Megan L. Staroba
Kelley Ann Weber
Rebecca LaLynn Ystebo

Bachelor of Science in Nursing

Melissa Grace Asa-Attuah
Sylvie Munezero Baguma
Sierra Sommer Beaufeaux
Kimberly Dee Becker
Laura Ann Bihrlle
Sara Ann Bole
Ann Marie Buboltz
Justin Michael Carey
Chelsey Grace Carter
Samantha Rose Charest
Alyssa Nicole Chevalier
Micayla Nichole Clarin
Jordan Jay Coplin
Kimberly Ann Damsgard
Katlyn Anne Duval
Danielle Laura Ebnet
Jacob Matthew Edland
Gina Marie Ehresmann
Julie Ann Emerson
Ashley Suzan Engelstad
Kali Rose Erickson
Kimberly Ann Franklin
Melanie Ann Fylling
Jamie Lee Grant
Molly Christine Grove
Arijana Gusic
Shannon Marie Haarsager
Randall Jon Hagemeister
Miranda Marie Heald
Ashley Ann Heller

Samantha Hilda Henne
Kayla Brianne Henneberg
Sarah Beth Hofer
Kathryn Joan Houle
Kelly Elizabeth Jahnke
Jeremiah John Johnson
Jena Rose Kamoni
Shehla Khan
Kelsie Joy Larson
Megan Marie Maus
Kalina Lynn McCloud
Alyssa Marie Mickelson
Heidi JoAnn Morman
Kasey Alyssa Peterson
Morgan Elise Peterson
Jon David Pilger
Sheyenne Marie Plummer
Hannah Marie Potter
Abbey Lee Prudlick
Ashley Marie Rupp
Kaley Loraine Schmidt
Ruth Kaitlin Stefanie Schmitz
Christian Patrick Scott
Andrea Kristine Sethre
Sueky Marie Shook
Sadie Allison Slind
Kristin Elisabeth Sonstelie
Andrea Jean Soule
Tanner Michael Stavn
Andrea Michelle Steele
Tiffany Amber Tang
Elizabeth Grace Ugelstad
Deveny Sue Vukonich
Laura Catherine Wagner
Eden Michelle Wanzek
Sara Deloris Wentworth
Lisa Michelle Zimmerman

Master of Science

Joyce Marie Schmaltz

Doctor of Nursing Practice

Kelly Shannon Agnello
Leah Marie Brewster
Angela A. Dolalie Kelsch
Alicia Hauff
Andrea Jean Middlestead
Nancy Nyongesa
Lisa Marie Schoenberg
Kathryn Marie Stensgard

Doctor of Pharmacy

Laurel K. Aaberg
Jory L. Aman
Tekla Jay Anderson
Jerad Dale Binstock
Emily Rose Bogenreif
Erik Keith Bommersbach
Megan Born
Julie Ann Boyer
Tegan Jo Buckley
Alexandra Jae Burnside
Andrew Stewart Deichert
Lisa Dertinger
Matthew Patrick Doucette
Jennifer Ann Drees
Susan Kay Dynneson
Ashley Medora Ekerholm
Brian A. Erickson
Valerie Marie Fankhanel
Jordan Ross Ferguson
Jennifer Mary Field
Nicholas Craig Finnesgard
Aimee Marie Ford
Ashley Anne Gellner
Meghan Marissa Gronbeck
Brandon Michael Hallquist
Abby Haugrud
Franklin Dean Heisler
Stacy Lynn Hersrud
Kelsey Nicole Hesch
David Matthew Hoffman
Adam Lee Johnson
Allan Michael Johnson
Justin Michael Jones
John Henry Kastner
Chadrick Donovan Keller
Anna Jeanette Kinneberg
Mathew Robert Klier
Brent John Klinkhammer
Kaitlyn Alice Krause
Evan Lawrence Krebs
Tucker Lee Kreft
Rachelle Marie Kunde
Janessa Eve Lohmann
Noah David McBroom
Lindsey Meas
Michelle Rae Mehling
Jenna Anne Midgarden
Cindy Cae Moe
Katherine Grace Montag
Sarah Rose Ness
Kristina Maria Thanh Nguyen

Kyle J. Odermann
Brendan Patrick O'Gorman
Benjamin Olson
Nicholas O'Rourke
Trisha Lee Oss
Ankit Patel
Rupa Bharat Patel
Brady Michael Paul
Ashlee Rose Randklev
Courtney Redwing
Kristen Michelle Richter
Steve Daniel Rosenfeldt
Kristin Marie Rowe
Daniel Steven Sandgren
Breanna Rae Schmidt
Mckaya Raquel Schmit
Allison Elizabeth Schmitz
Tyler John Schultz
Whitney Louise Schultz
Sierra Lynn Sipma
Sarah Noelle Sonnenfeld
Max Whitney Stork
Sarah Taylor
Emily Rae Thielges
Samantha Jayne Tucker
Jenna Marie Wahlstrom
Sarah RaNae Walker
Jasmine Rae Wieser
Cavan An Wilhelm
Alan Yan

Doctor of Philosophy

Rhishikesh Subhash Mandke
Amit Modgil
Mayura Arvind Oak

College of Science and Mathematics

Certificate

Syed Ahmed
Arijit Chatterjee
Kazi Ashraful Haque
Ritika Sahn

Bachelor of Arts

Siddhant Dash
Paul Robert Dillon
Daniel William Eaves
Mari Charise Goldade
Ross Andrew Hardman
Jennifer Nicole Jacobsen
Austin Nhan Nguyen

Jenna Flynn Shallman
Emily Louise Steil
Theresa Elizabeth Wilson

Bachelor of Science

Laura Eileen Adamson
Vaibhav Aggarwal
Zechariah William Andersen
Justin S. Anderson
Kyle Robert Anderson
Kevin Leland Backman
Manpreet Singh Bains
Prabahan Baishya Baruah
Miseon Bak
Mehmet Bal
Alexander Todd Barney
Danielle Rae Bauer
Amanda Jaime Beller
Christopher Jay Bjornstad
Tyler William Block
Aubrey Elizabeth Boertje
Dimitri Boreisha
Christopher Michael Bourdeaux
Christina Josephine Brink
Alison Ann Brorby
Steven John Bruins
Alison Marie Carlson
Matthew Carl Casperson
Melissa Michelle Cavalier
Jordan Alexander Coles
Cade Alexander Colvin
Shevonne Trinita Cruz
Daniel Michael Cuppy
Spencer John Davis
Caitlin Elizabeth Deal
Brent Daniel DeBruyn
Deanna Christine DePue
David Daniel Dockendorf
Robert A. Dolney
Anna R. Dosso
Devany Kate Dougherty
Aaron James Driessen
Hollyanne E. Duda
Mikhail Robert Elias
Alisa Esther Reha Fairweather
Travis Martin Fitzke
Mikaela Leigh Forward
Lacey Rae Gohner
Adam John Gossen
Timothy Daniel Grimes
Brea Rachelle Grueneich
Jania R. Guest

Kirsten Marie Gunderson
Nicholas John Haberman
Mitchell Wayne Halseth
Jill S. Hanson
Erik Gregory Hasse
Sean Carpenter Hatten
Kayla Ann Hauer
Chandra Marie Heglund
Erik Charles Heitkamp
Christopher Marvin Held
Daniel Thomas Herrmann
Aidan P. Horvath
Garrett Paul Houghton
Melissa Linn Hull
Alexa Lacie Johnson
Gunnar Brown Johnson
Kelsey Malinda Johnson
Marne Ora Johnson
Daniel John Juhnke
Camryn Daisy Kaspari
Darrin John Koubsky
Mary Christine Krambeer
Amber R. Krogsrud
Nicole Nyleen Kruger
Tanya Grace Krumm
Gabriel Theron Krump-Johnson
Pasindu Udara Kukule Withanage
Kalith Gayashan Kumasaru
Elle Kristine Kvam
Zachary John Leonard
Andrew Jacob Lillejord
John William Lynch
Marcus Allan Mahar
Rupam Ramnath Mahodaya
Austin Lyle Maples
Ryan Allen McCollum
Rebecca Leigh Melby
Taylor Alexandra Melting
Brenden Lee Melvie
Megan Marie Meyer
Justin John Mezzenga
Josephine Clea Milewski
Derek Mark Miller
Stephanie Rae Molencamp
David Joseph Mueller
James Wallace Murphy
Canaan Ann Muscatell
Elizabeth Marie Nelson
Stephanie Anne Nelson
Tuan Minh Nguyen
Chelsea Nicole Nordquist
Benjamin Lee Noteboom

Joshua James Nye
Erin Danielle O'Connell
Heather Marie Otto
Dawniece LeeShawn Pagan
Anthony Michael Palazzo
Brian Lloyd Paulson
Laura Ann Paulson
Stephanie Michelle Pelletier
Christopher A. Pischel
Rachel Harmony Elsa Powers
Blake David Racek
Travis Dennis Rath
Garayn Eranga Rathnathilake
Ethan Alton Remily
John Taylor Rensberger
Alyssa Tillie Rogalla
Wesley Dan Rogers
Sarah Roseth
Ashley Marie Sabot
Brandon Tyler Saxton
Caroline S. Schevenius
Randy Aaron Schiermeister
Emily Rose Schmidt
Jamie Nicole Schmidt
Renae Danielle Schmidt
Kevin Mitchell Schroeder
Amber Lee Severson
Casey James Skillings
Samantha Mitchell Skinner
Abby Lyn Sprunk
Cassandra Catherine Staber
Megan Kathleen Stambaugh
Scott Tyler Steele
Ashley Lynne Steffen
Travis Gene Strehlow
Chad Allan Stromlund
Stewart James Sundet
Taylor Jay Swanson
Michael Stephen Symanietz
Michael Teubner
Matthew Thomas Thompson
Heather Renee Tienter
Kristen Tomanek
Amber Nicole Tye
Tyler James Vermeer
Deborah Jean Wald
Leesha Madisson Walz
Jonathan Randall Wandersee
Shane Joseph Ward
Megan Joy Weyer
Kate Meredith Whelan
Travis Jacob Wiertzema

Brian Jeffrey Williams
Thomas Joshua Williams
Brian Glen Wills
Kya Michelle Wisnewski
Sarah Anne Wroblewski
Robert Douglas Zastre

Master of Science

Vaibhav KUMAR Anu
Debarshi Barat
Naga Chaitanya Byrisetty
Ushashi Chakraborty
Srujan Kumar Raju Chekuri
Naveen Kumar Dandu
Ashok Reddy Ginjala
Tonya M. Greywind
Di Huang
Nikhitha Kaparathi
Angshu Kar
Arti Katiyar
Joseph Charles Long
Manoj Babu Madamanchi
Yana Melnykov
Eric William Momsen
Sudesh Mukhami
Ghanashyam Nath Nayakam
John David Ranney
Joseph Michael Roith
Ritika Sahni
Christopher Joseph Schaefer
Kelly L. Schaible
Aman Sharma
Kunal Kishore Singh
Ashish Teotia
Shweta Tiwari
Avijeet Tomer
Samuel Paul Unruh
Rajat Upadhyay
Kiran Kumar Vallabh
Ashok Kumar Vellaswamy
Kristin Lynn Wojciechowski
Vishnu V Reddy Yarram

Master of Software Engineering

Jeffrey Ryan Anderson
Bibhor Dhungel
Temi Tope Omotoyinbo
Paulo C. Perez
Jesse W. Schauer
Lieming Zeng

Doctor of Philosophy

Anoklase Ayitou
Shadi Elaiyan Bani Ta'an
Kanwalinderjit Kaur Gagneja
Jacob Timothy Juhl
Goetz Kaehler
Thomas J. Nelson
Prakash Ranganathan
Chavanin Siripiom

College of University Studies

Bachelor of University Studies

Bobbie Ann Boetel
Jordan Lee Espeseth
Chad Michael Gooding
Lindsey Jo Kaeding
Savannah Iris Lauf
Derek Lyle Peterson
Adam Mark Ranney
Christina Marie Romero
Kelsey B. Self
Nicholas Robert Selle
Emily Christine Stalpes
Jordan Matthew Strand
Anne Taylor Tungseth
Joshua M. Wills

NORTH DAKOTA STATE UNIVERSITY
Summer 2013 Graduates
Degree Conferral Date: August 2, 2013

Faculty Senate - Attachment 3

College of Agriculture, Food Systems, and Natural Resources

Bachelor of Science

Heather Renee Anderson
Hannah C. Beyer
Catherine El Cole
Christopher Scott Cossette
Taylor Jo Dawson
Christopher Mark DeMartelaere
Andrew Michael Easton
Kelsie Anne Egeland
Crystal Marie Ereth
Alexandra Rose Frolek
Zheni Nikolaeva Goodrich
Katherine Elise Henning
Amanda Diane Herman
Brandi Jo Houghton
Cara Joann James
Olivia Jane Kershaw
Matthew Alan Klar
AKA Kyaw Min Maw
Megan Michelle Mueller
Aaron Robert Olson
Nicole Beth Olson
David William Parker
Elliot Gene Rongen
Benjamin Jon Selstedt
Marguerite A. Stanley
Kaylee Rae Stein
Grant Kenneth Sundet
Matthew Allen Tarvestad
Pooja Thapliyal
Cameron Charles Vien
Heather Jo Wang
Yang Yang
Kirstin Marie Ydstie

Master of Science

Andrew David Aipperspach
FNU Akshat
Nolan Roy Berg
Songjiao Chen
Marina Nikolayevna Dobrydina
Vibin Eranezhath Harilal
ChangMin Kim
Benjamin Thomas Klinkner

Jenny Lynn Kuchynski
Quynn P. Larson
Haiyan Liu
Cody Troy Turner

Doctor of Philosophy

Tonette Pacho Laude
Leslie Ann Lekatz
Ashley Nicole Lepper
Ebot Sahidu Tabe

College of Arts, Humanities, and Social Sciences

Bachelor of Arts

Jasmine Noel Franklin
Charles Nicholas Gonderinger
Nicholas D. Roller

Bachelor of Science

Meixuan An
Bridget Marie Anderson
Alice Mae Arentson
Makkah Mahgoub Asindua
Tyler John Beckius
Michael James Bittner
Courtney Dawn Boe
Elizabeth Ann Branson
Tyler Lee Dutenhoeffer
Jarrod Mark Erdmann
Alyssa Cathleen Falvey
Ryan James Freeman
Timothy Richard Fresonke
Samantha Katherine Gehrig
Cy Tanner Groslie
Lee Craig Gullickson
Ricky Gene Hagen
Brittany McCall Hanson
Ethan Brent Hvezda
Nicole A. Johnson
Richard Thomas LaPlante
Karolina Lewis
Benjamin James Limoges
Andrew Dampier McFarlane
Crystal Jo Phillips
Ryan Nolan Russell
Courtney Marie Schaff

Stephanie Camilla Schulz
Danielle Moray Seehafer
Andrea Dawn Smith
Jordan Robert Trygstad
Tammy Marie Vanyo
Eric William John Velure

Master of Arts

Michele Rae Kramlich
Shweta Sharma
Cheryl Jean Williams

Master of Music

Leah Irene Elliott
Tyler John Raad

Master of Science

Shelby Ann Bohnenkamp
Pierre Albert Freeman
Ruoxu Wang

Doctor of Musical Arts

Brett Woodmansee

Doctor of Philosophy

Jean Ostrom-Blonigen

College of Business

Bachelor of Science

Marcus John Askvig
Angelina Borud
Mitchell Francis Cannon
Marissa Lyn Dahlquist
Resha Shehari Aviena Dias
Rajinda Deegayu Bandara
Stephanie Noelle Erb
Sarah Marie Erickson
Brian Robert Goetz
Phillip Haggerty
Brent Michael Horner
Keegan Thomas Ilenda
Bryce Walter Johnson
Emma Marie Lashinski
Kacey Jean Malsam
Jamie Samuel Mauch
Mohamed Harbi Osman
Samuel Thomas Resha

Wathsala Piumali Wataraka

Master of Accountancy

Kate Louise Ehnert
Rachel Ann Johnson

Master of Business Administration

Andrew Ward Erickson
Luke Adam Johnson
Nicholas Owen Jones
Trung Tan Nguyen
Kamoliddin Murotovich Rustamov

College of Engineering and Architecture

Bachelor of Landscape Architecture

Kyle Daniel Krueger

Bachelor of Science

Benjamin Bradley Atchison
Matthew Robert Dunham
Isaac David Karley
Kyle Daniel Krueger
Calvin Joseph Morey
Kelsi Aline Mueller
Troy Raisanen
Courtney Louise Valen
Michael Edwin Van Beek
Anthony Christian Wocken

Bachelor of Science in Construction Management

Steve Bradley Oien
Logan Matthew Ryan
Ethan P. Sundheim
David Aaron Swanson

Bachelor of Science in Electrical Engineering

Ryan Roger Mergen
Evan Theodore Pederson
David Pinewski

Bachelor of Science in Industrial Engineering and Management

Benjamin Scott Johnson
Rajat Pahwa

Deni L. Vigesaa
Andrew Richard Westby
He'er Xi

Bachelor of Science in Manufacturing Engineering

Jordan Voller

Bachelor of Science in Mechanical Engineering

Seng Heng Gan
Peter Anders Johnson

Master of Architecture

Jeremy M. Bickel
Dustin Peter Froese
Zhe Liu
Danielle Marie Pauley
Matthew David Smith

Master of Construction Management

Jacob Alan Neumann

Master of Science

Jeffrey Michael Flynn
Andrew Steven Reberg
Harjot Kaur Sidhu

Doctor of Philosophy

Ergin Erdem

College of Graduate and Interdisciplinary Studies

Certificate

Loy Freda Aceng
David Tendo

Master of Managerial Logistics

Yong Shin Park

Master of Science

Steven C. Burdick
Andrew Ron Fraase
Deidra A. Lies
Elise Marie Maxson
Jeffery Wilson Stackhouse

Master of Transportation & Urban Systems

William F. Lyons

Doctor of Philosophy

Guojia Ma
Buddhika Madurapperuma A. A.
Andrzej Krzysztof Noyszewski
Asharani Prasad

College of Human Development and Education

Bachelor of Science

Kayla Jane Andreasen
Samantha Joy Berard
Salina Evelyn Berg
Brianna Lee Bieniek
Johanna Marie Carrlson
Eva Marie Chittum
Miranda Jo Daignault
Michelle Paula Deming
Heather Fahsl
Nicholas Daniel Fischer
Melissa Anne Fleck
Rachel Hannah Gellerman
Andrea Elizabeth Henning
Shayla Annalise Hermes
Laura Elisabeth Holien
Warren Darnell Holloway
Cierra Rose Holm
Andrea Jaymes Irsfeld
Kylee Rebecca Johnson
Lindsay Carol Kautzman
Amanda Leigh Kepler
Rachel Ann Kirmis
Kaley Mae Klein
Nathan Norman Kleppe
Christine Therese Knuth
Amy Morgan Kremer
Paige Rae Larson
Tinn Lee
Adam Daniel Loe
Jenna Marie Marquette
Brittany Lee Nolan
Amy Dawn Pawlowski
Paula Christine Regnier
Erica Nouveau Row
Elizabeth Aline Seaver
Alyssa Ann Sprague
Sherry Lea Stark
Breanna R. Taralson
Matthew Vernon Tetzlaff
MacKenzie Shawnae Thomes
Cassandra Carol Wastweet
Tyson Ronald Weatherly

Devin Dyan Weinzierl
Nichole Bailey Wendt
Madison Kate Whitley
Kailey Rose Young
Nathan James Zastrow
Amanda Jo Zenzen

Master of Education

Elizabeth Anne Dentinger
Beau Martin Gray
Brenda Kay Holm
Felicia Marie Lamb
Kimberly Robin Otos
Kristin Kay Rosenau

Master of Science

Kirstin Erin Barden
Matthew Cole Bowar
Jeney Anne Christensen
Tamara A. Cummings
Marlen I. Haugen
Marika Londeen
Kelly Sue Mogen
Keilah Ann Thompson
Sara Jane Waldack

Doctor of Education

Todd D. Bertsch

Doctor of Philosophy

Nikki Richelle Demers
Staci Lyn Pauer
Jane Marie Strommen

College of Pharmacy, Nursing, and Allied Sciences

Bachelor of Science

Jessica Renee Allen
Kristin Kay Allmaras
Scott Alan Alverson
Chelsea Elizabeth Anderson
Angela Nadine Arnold
Karissa Mae Ball
Jenna Lynn Baumler
Nathan Alan Beckman
Hiral Rajiv Bhatt
Colin Douglas Binnie
Lisa Ann Blair
Jenna Marie Bosak
Daniel John Broderick
Emma Kay Burt

Alyssa Marie Cappellin
Kailey Elise Christianson
Joshua Thomas Christophersen
Danielle Nichelle Coalwell
Michaela Mae Collins
Breanna Kaye Curtis
Danielle Marlys Daly
Jake Ryan Joseph Decker
Sara M. Dell
Rhoderissa G. Dizon
Ashley Rae Doeden
Kailee Ann Donner
Nicole Marie Dyrdaahl
Mollie Frances Fearing
Brook Edward Fiebiger
Marie Elizabeth Franzen
Allison Rudy German
John Peter Hamm
Victoria Marie Hammond
Brady James Harms
Christopher Noel Harwood
Moriah Suzanne Heffron
Kyle Jason Henderson
Siera Nicole Huber
Betsy Jo Hutchinson
Matthew Thomas Ironroad
Cassandra Lynn Jacobs
Eric Ryan Jacobson
Breanna Marie Janzen
Brianna Marie Johnson
Jeremy Ray Johnson
Paul David Johnson
Ryan Daniel Johnson
Braden Thomas Jorud
Alyssa M. Kelsch
Madeline Ann Kelzenberg
Patrick James King
Kayla Jo Kipp
Breann Kochevar
Gerard J. Kokett
Kaila Lee Kugler
Andrew Joseph Kunya
Caitlin Dawn Larson
Kammy Joanna Larson
Sophie H. Le
Jessica Danielle LeDoux
Sondra Marie Lenarz
Justin J. Lill
Alyssa Kay Link
Teresa Ann Martig
Aaron John Mertens
Kimberly Anne Miller

Robyn Ashley Mithun
Shelby Rae Monson
Erin Rebecca Mooney
Kayla Nicole Nelson
Casey Joelle Olson
Matthew Charles Osebold
Molly Elizabeth Perkins
Nha Nguyentruong Phan
Toan Ngoc Phan
Ryan Platz
Andrew James Puchalski
Erica Marie Reishus
Abby Marie Richardson
Whitney Marie Richman
Jordan Lee Rist
Tyler Kevin Rogers
Peggy Elizabeth Ronke
Karin Michelle Rudningen
Heather Mae Ryan
Jeremiah John Saunders
Jordan Marie Schlicht
Jordan Helen Schoppe
Sara Ann Schroeder
Molly Ann Slaby
Jena Smedshammer
Amy Marie Steckler
Jessica Kaye Steffen
Nicolas J. Steidl
Danielle Ann Stenhjem
Svetlana G. Stukalova
Erin Lee Swanberg
Trent Alex Thompson
Amanda Jean Timmerman
Martha Emily Toede
Jessica Renee Totzauer
Carly Lynn Trowbridge
Shalene Marie Troyer
Kayla Jo Vieau
Alex Stanley Wald
Sara Marie Wandler
Katlyn Jo Weigel
Jacob Robert Westman
Victoria Lynn Wieser
Robert John Willborn
Abby Loray Woiwode
Kelsey BethAnna Wolfe
Kong Kit Wong
Amber Renee Wood
Jingyang Xiao

Bachelor of Science in Nursing

Stevi Nicole Kinsella

Rebecca Lynn Polipnick
Chase Emanuel Rothstein
Nicole Lynn Vasseur

Master of Science

Shelly Rae Graening

Doctor of Pharmacy

Adrienne Leigh Fiedler

Doctor of Philosophy

Faidat Jyoti
Ruchi Malik

College of Science and Mathematics

Certificate

Christopher A. Kuylen

Bachelor of Science

Emily Lanay Bolgrean
Ashley Ann Breiland
Razia Dawlaty
Nicholas Charles Grabow
Madeline Dawn Haas
Kenneth David Iverson
Alicia Mae Johnson
Samantha Kay Kemmet
Stanley Kwiecien
Shane Jay Reetz
Ujjwol Subedi
Luther Arthur Tegtmeier

Master of Science

Sarthak Ahuja
Khalid Ali Alemerien
Malinda Vikum Sanjaka
Jessica Anne Carter
Meng Chao
Jonathan Andrew Dees
Bandana Garg
Siva Krishna Ginjupalli
Brandon Grae Goodell
Karl Nils Gunderson
Swati Gupta
Md. Imamul Hossain
Kailash Joshi
Jyotjeev Kohli
Jamie Marie Kubat
Shanda Deleen Lauer
Nityananda Suresh Paturu
Ali Roudaki

Sandeep Sikharam
Saumya Singh
Xiao Zhang

Master of Software Engineering

Ruhi Agrawal
Vidushi Bhardwaj
Prayash Sharma

Doctor of Philosophy

Farhod Abdullayev
Steve Martin Bou ghosn
Elizabeth Ewing Lee
Adam Kent Fetterman
Nora Denise Gayzur
Niteen Gangaram Jadhav
Tatjana Miljkovic
Saeed Nasseh
Anthony John Ostlund
Barry C. Pemberton
Amin Roudaki
Erik David Sapper
Amanda Jo Schwartz
Richard Kenneth Wicklein
Jingjun Zhao

College of University Studies

Bachelor of University Studies

Tarik Benhiba
Kathleen Maria Krause
Brendan Mark Krupich
Burke David Lindvall
Trisha K. McDonald
Ashley Dawn Swanson
Melvin Whitney, Jr.

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

October 14, 2013

Attachment 4

Approved General Education Recommendations

Outcomes Key: <ol style="list-style-type: none">1. Communicate effectively in a variety of contexts and formats.2. Locate and use information for making appropriate personal and professional decisions.3. Comprehend the concepts and perspectives needed to function in national and international societies.4. Comprehend intrapersonal and interpersonal dynamics.5. Comprehend concepts and methods of inquiry in science and technology, and their applications for society.6. Integrate knowledge and ideas in a coherent and meaningful manner.7. Comprehend the need for lifelong learning.			
Courses Approved for General Education (New)			
Course No.	Course Title	Recommended Categories	Recommended Outcomes
PSYC 221	Psychology at Work	B	3, 4, 5, 6, & 7

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

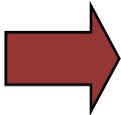
October 14, 2013

Attachment 5

Policy 101 Version FINAL 091713

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name 101 – Personnel Definitions

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change: In section 2.1.2 the words "in the same department" have been removed. The reasoning is that an employee is working at NDSU regardless of the department, therefore if they are teaching 6 or more credits at NDSU for more than 2 semesters, regardless of department, they should be a benefited employee.
2. This policy was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted – Angela Bachman/ Office of the Provost & Lois Christianson/ Office of Equity, Diversity and Global Outreach
 - Email address of the person who should be contacted with revisions – angela.bachman@nds.edu/
lois.christianson@nds.edu
 -

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 09/17/13

Faculty Senate: Information – 9/17/13

Staff Senate: Information – 9/17/13

Student Government: Information – 9/17/13

President's Council: Information – 9/17/13

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

Faculty Senate Minutes

North Dakota State University Policy Manual

SECTION 101

PERSONNEL DEFINITIONS

SOURCE: SBHE Policy Manual, Sections 605.1 and 606.1
NDUS Human Resource Policy Manual
NDSU President

1. CLASSIFICATION STATUS

1.1 Staff Employee

A person in a position covered by the North Dakota University System Broadbanding System.

1.2 Non-Banded Employee

1.2.1 Academic Staff

Faculty (instructors, assistant, associate or full professors), lecturers, and graduate assistants.

1.2.2 Other Non-Banded

Staff excluded from broadbanding by Board rule: president, executive deans, vice presidents and officers of the institution or staff holding positions the institution president has excluded by designation, including coaches, extension and experiment station professionals, and others in 2000 job categories not included in 1.2.1 above.

2. EMPLOYMENT STATUS

2.1 Regular Employee

A *staff employee*, who satisfactorily completes a probationary period, or a *non-banded employee*, who is employed at least seventeen and one-half hours per week if hired before August 1, 2003 or twenty hours per week if hired on or after August 1, 2003, and at least twenty weeks each year.

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2.1.1 Full-Time Employee

A person employed on a regular basis for a minimum of 40 hours per week.

2.1.2 Part-time Employee

A person employed on a regular basis for less than 40 hours per week.

A part-time lecturer is generally considered to be a regular employee if she/he teaches 6 or more credits for two or more consecutive semesters ~~in the same~~ department. Credits taught through Continuing Education are not applicable for purposes of this definition.

2.2 Temporary Employee

A person employed in a position of intermittent or limited duration not to exceed one year, a seasonal position, or in a position working less than seventeen and one-half hours per week, or less than five months per year, if hired before August 1, 2003, or twenty hours per week or less than 20 weeks per year if hired on or after August 1, 2003. *(This includes graduate assistants and student employees whose employment is incidental to their student status).*

2.2.1 A seasonal position is one in which a person works less than eight months per year during an institutionally designated "season", such as the agricultural growing season. A seasonal employee must be terminated at the end of the institutionally recognized season, but may be rehired for a future season although there is no guarantee of re-employment.

3. OVERTIME ELIGIBILITY STATUS

3.1 Nonexempt Employee

Those employees serving in positions covered by the Fair Labor Standards Act who are eligible for overtime pay or compensatory time off. Generally those employees in bands 4000 through 7999 are included in this group.

3.2 Exempt Employee

Those employees serving in positions exempt from the overtime pay and compensatory time off provisions of the Fair Labor Standards Act because their administrative, professional or managerial responsibilities meet the exemption requirements of the Act. Generally this includes employees in bands 1000 through 3999.

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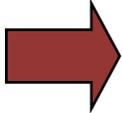
HISTORY:

New	July 1990
Amended	April 1996
Amended	August 1997
Amended	August 1998
Amended	July 1999
Amended	December 1999
Amended	December 2000
Amended	February 2001
Amended	October 2001
Amended	April 2005
Amended	January 2007
Amended	September 17, 2013

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Policy Change Cover Sheet

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



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

SECTION: *Policy Number 183 – Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff*

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

Housekeeping change to the position. The change to this policy occurred due to the final passage at the June 20, 2013, State Board of Higher Education Meeting. State Board of Higher Education Policy. The section added to this policy is 10. The addition is:

10. Notwithstanding section 1, employees excluded from the broadbanding system who are not members of the academic staff at an institution and whose first day of service preceded September 26, 2012, may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:

- a. At least three months, if written notice is given during the first year of service;*
- b. At least six months, if written notice is given during the second year of service;*
- c. At least twelve months, if written notice is given thereafter.*

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

Colette.erickson@ndsu.edu

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

This portion will be completed by Melissa Lamp

Senate Coordinating Committee: 9/17/13
Faculty Senate: Information – 9/17/13
Staff Senate: Information – 9/17/13
Student Government: Information – 9/17/13
President’s Council: Information – 9/17/13

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

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

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SECTION 183 NONRENEWAL AND DISMISSAL OF NONBANDED, NONACADEMIC STAFF

SOURCE: SBHE Policy Manual, Section 608.2

1. Employees excluded from the broadbanding system who are not members of the academic staff at an institution may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:

- a) At least three months, if written notice is given during the first year of service;
- b) At least six months, if written notice is given during the second year of service or thereafter.

2. Employees excluded from the broadbanding system who are not members of the academic staff at an institution may be dismissed for just cause or based upon financial exigency as determined by the Board, loss of appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses, in which cases the notice requirements of the preceding section shall not apply. If a dismissal other than for just cause is implemented pursuant to this subsection, no less than 90 days notice shall be given the employee.

3. Just cause means just cause for dismissal of staff employees as defined in the North Dakota University System Human Resource Policy Manual. (See NDSU 220.2) Notice of intent to dismiss for cause, stating the reasons for the proposed action, shall be given by a department head or other designated official unless the employee is a vice president or other officer who reports directly to the institution's chief executive, in which case notice shall be given by the chief executive. The notice shall be given at least five calendar days prior to the date of dismissal and the employee has the right, within that time, to respond in writing and request a pre-termination review. Following notice of intent to dismiss and, if requested by the employee, the pre-termination review, the department head or other designated individual, if the notice of intent to dismiss was not given by the chief executive, shall forward a recommendation to the institution's chief executive. The chief executive shall make a final decision and give written notice of that decision.

4. An employee who is dismissed for just cause pursuant to this policy may, within 20 days of dismissal, appeal the decision by filing a notice of appeal, accompanied by a specification of the reasons or grounds upon which the appeal is based, with the institution's chief executive. The chief executive shall appoint a hearing officer to conduct an evidentiary hearing and submit recommended findings, conclusions and a recommended order to the chief executive. The hearing officer shall conduct the hearing according to appeal procedures governing hearings conducted by a staff personnel board that are set forth in Section 27 of the North Dakota University System Human Resource Policy Manual (*Policy 231 of the NDSU Policy Manual*). The chief executive shall make a final decision and provide written notice of that decision to the hearing officer and the employee within 20 calendar days of receiving the hearing officer's recommendation.

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5. Except for positions explicitly exempt as stated in this section 5 or 6, this policy applies to all employees excluded from the broadbanding system who are not members of the academic staff and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff. This policy applies to coaches unless the employing institution has adopted a different policy governing coaches and that policy is stated or adopted by reference in a coach's employment contract, in which case the institution's policy applies. This policy does not apply to faculty; employees with academic appointments are governed by SBHE Policy Sections 605.1, 605.2, 605.3 and 605.4. Staff employees at the institutions are governed by the North Dakota University System Human Resource Policy Manual.

6. *Dismissal actions of regular staff employees are governed by the NDSU Policies 220, 223, and 232.*

7. *Dismissal actions of temporary staff employees may occur at any time with or without cause (NDUS Human Resource Policy Manual, Section 2).*

8. *Dismissal or non-renewal actions for faculty are governed by NDSU Policy 350.1-350.4 and 352.*

9. This policy does not apply to the Chancellor and institution presidents. Subsections 1 and 2 do not apply to student residence hall assistants, work-study students and other students employed on a part-time basis for a limited term. The terms and conditions of employment for student residence hall assistants shall be stated in a written contract.

10. **Notwithstanding section 1, employees excluded from the broadbanding system who are not members of the academic staff at an institution and whose first day of service preceded September 26, 2012, may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:**

- d. At least three months, if written notice is given during the first year of service;**
- e. At least six months, if written notice is given during the second year of service;**
- f. At least twelve months, if written notice is given thereafter.**

HISTORY: New June 1994

Amended May 1996

Amended February 1998

Amended July 1999

Amended December 1999

Amended January 2000

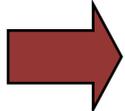
Amended January 3, 2013

Amended September 17, 2013

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Policy Change Cover Sheet

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SECTION: **NDSU Policy 513 – NDSU Collection Policy**

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

- Is this a federal or state mandated change? Yes No
Describe change: REMOVE policy 513 from the NDSU Manual. The policy is outdated and primarily procedural. NDUS policy 830.1 is more applicable. The Customer Account Services will create a formal procedural document that addresses the current practices used for collections as they pertain to both student and non-student receivable.
- See below for amended version with link to NDUS Policy 830.1.

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

- **Office/Department/Name and the date submitted:** Customer Account Services, 3110, Kelly Bisek, Associate Director, Submitted 8/13/13
- **Email address of the person who should be contacted with revisions:** Kelly.Bisek@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

9/17/13

Faculty Senate: Information – 9/18/13

Staff Senate: Information – 9/18/13

Student Government: Information – 9/18/13

President's Council: 9/18/13

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

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SECTION 513 NDSU COLLECTION POLICY

SOURCE: SBHE Policy Section 830.1

NDSU defers to the [NDUS Policy 830.1](#) in regard to payments and collection activities.

HISTORY:

New	November 1997
Amended	May 1998
Amended	October 2007

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Guidelines for Combined/Accelerated Bachelors to Masters Programs

The Graduate School supports the development of combined/accelerated bachelors to masters programs for NDSU students. These programs provide an opportunity for highly-qualified students to earn both degrees in a cost-effective and timely manner. These programs are designed to ensure that students in these programs earn a high-quality NDSU master's degree in pursuit of their educational or professional goals. The following guidelines set the minimal expectations for combined/accelerated masters programs. Programs may set more stringent standards.

- There must be an application process to identified highly-qualified candidates.
- All admissions will be conditional. The minimum condition is completion of the bachelor's degree prior to full standing in master's program. Other conditions related to academic performance may be added.
- Students must complete at least 60 credits prior to conditional admission.
- Students must complete at least 30 credits at NDSU prior to conditional admission.
- Students must have a cumulative GPA of 3.5 at NDSU to be eligible for conditional admission.
- No undergraduate courses may be counted toward a master's degree.
- Courses completed at the 600 level prior to be accepted to the program may be counted toward a master's degree.
- **A maximum of 15 credits in the master's program can be used to meet the requirements for the bachelor's degree.**
- Students entering the master's degree with a bachelor's degree in hand may not use courses earned as part of the bachelors program for master's requirements.
- The student must meet all of the requirements that would normally be expected of a student in the master's program.

Approved by Graduate Council, 2/13/2013

Approved by University Academic Affairs Committee, 4/16/2013

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General Education Policy 12: Rationale and Proposed Revisions:

The proposed revisions to general education policy 12 were approved by the general education committee on Wednesday, April 24th, 2013. The revisions attempt to more closely align policy with practice. Students who have earned a baccalaureate degree at an international institution often approach the Office of Registration and Records citing policy 12 in the hopes that lower-division general education requirements will be waived. The vast majority of international institutions do not have general education programs similar to what is common in the United States and what can sometimes be found at Canadian institutions. Therefore, general education requirements will not typically be waived for students who transfer to NDSU and who have also earned a baccalaureate degree at an international institution. The revised policy language will help to more clearly communicate which types of transfer coursework qualify to waive the lower-division general education requirements.

Policy 12 Proposed Revisions:

A student who has completed a general education program in the United States or Canada consisting of a minimum of 36 semester credits at a regionally accredited institution and who transfers to NDSU or who pursues a second baccalaureate degree at NDSU is considered to have completed his or her lower-division general education requirements at NDSU. Transfer student coursework from outside the United States and Canada will be evaluated on a course by course basis.

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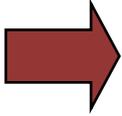
October 14, 2013

Attachment 10

Policy 103 Version 1-2 091713

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name -103/ Equal Opportunity/ Affirmative Action Policy on the Announcement of Position Openings

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

Is this a federal or state mandated change? Yes No

Describe change: After meetings with an adhoc committee the following changes were suggested to deal with a few problem areas:

1) Wording changes in Policy 103.2.1: Changing the ten working days to be “at least 5 working days, recommended up to 10 days”. This wording was previously 5 working days and was changed in one of the last set of changes. This will allow for a shorter period to announce internal, less than 50% positions, while continuing the process of allowing transparency with any titled position. For example with a rotating chair position, or interim positions there would be adequate time to make the 5 day announcement without any disruption of business.

2) Changing “less than four months” to “less than 20 weeks” – This would be consistent with Policy 101 and NDUS wording and allow for positions that are being hired only for one semester to be hired through only an internal announcement and not a full Peopleadmin search, due to a semester being more than 4 months, but less than 20 weeks. (In addition in section 103.2.2.2 the wording would be changed from “...more than four months” to “...equal to or more than 20 weeks” to be consistent with policy 101.) (wording would also need to be changed in the staff section 103.1.1 changing 4 months to the 20 weeks language to be consistent)

3) Adding the words in section 2.2 “with the exception of Graduate Level position.” This will allow for graduate teaching fellows to be advanced and receive additional pay without a search process)

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

- **Office/Department/Name and the date submitted** –Angela Bachman/Office of the Provost & Lois Christianson/ Office of Equity, Diversity & Global Outreach
- **Email address of the person who should be contacted with revisions** angela.bachman@nds.edu/
lois.christianson@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Faculty Senate:

Staff Senate:

Student Government:

President’s Council:

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SECTION 103 EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY ON THE ANNOUNCEMENT OF POSITION OPENINGS

SOURCE: NDSU President

This policy addresses requirements and procedures for position openings. Regardless of the position announcement procedures that are followed, all employment decisions within the University are subject to equal opportunity laws and regulations and NDSU's Equal Opportunity and Non-Discrimination [Policy 100](#). For equal opportunity purposes, all appointments to payroll budget positions and equivalent positions supported by non-appropriated funds are subject to the search, recruiting, and hiring processes in Sections [202](#) and [304](#) of this manual.

Section 1 pertains to staff positions. Section 2 pertains to faculty and executive/administrative positions. Section 3 pertains to all positions.

STAFF

1. Staff (as defined in [NDSU Policy 101.1.1](#) generally referred to as "broadbanded employees" include those positions in the following job band: 1000, 3000, 4000, 5000, 6000, and 7000).

1.1 If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for ~~more than four months~~[equal to or more than twenty weeks](#), the position shall be announced throughout the appropriate recruiting area as defined in Section [200](#) of this Manual.

1.2 Generally speaking, the recruiting areas are as follows for staff positions:

1.2.1 Administrative/managerial positions in the 1000 band: national.

1.2.2 Professional positions in the 3000 band: regional.

1.2.3 Technical/Paraprofessional (4000); Office Support (5000) Crafts/Trades (6000); and Services (7000): local (Fargo-Moorhead community and/or surrounding counties as applicable).

1.3 When a benefitted staff position vacancy occurs and there is a pool of regular employees appropriately qualified for transfer or promotion (including former employees covered by Reduction in Force policy, [Section 223](#)), a unit supervisor may choose to advertise a vacant position internally for a minimum of five working days prior to initiating an external search. The procedures, which involve utilizing the online application system for these internal searches, will be the same as those external searches as mentioned in subsection 1 (see Section [202](#)). The Human Resources/Payroll Office, in consultation with the unit supervisor, will be responsible to determine whether a pool of appropriately qualified employees exists.

1.4 If the appointment is either less than .50 FTE or clearly stipulated to be for a total duration of less than twenty weeks (non-benefitted), no formal position announcement posting to the online employment application system is required. Unit supervisors are, however, encouraged to announce benefitted positions. The announcement may be distributed within the University to the eligible staff of the particular administrative unit involved. Affirmative action efforts must still be undertaken to ensure that qualified minority individuals, females, and individuals with disabilities are included in the applicant pool. Proof of affirmative action

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efforts will be required, such as documentation reflecting an open announcement to all eligible staff of an appropriate unit or adequate written documentation on why the candidate is being selected for the opportunity without an announcement to the appropriate unit. Distributing the position announcement to the other Tri-College University institutions or within the Fargo-Moorhead community is also encouraged.

1.5 Recruitment for all benefitted staff positions in the 1000 and 3000 bands shall include the use of a search committee of at least three people to be appointed by the unit administrator at the time the unit requests authorization to fill a position opening. Unit administrators are urged to consider the importance of diversity when making appointments to search committees.

1.5.1 The search committee shall be involved in recruiting, screening, and interviewing applicants, with particular responsibility for affirmative action efforts to solicit and include applicants from underrepresented and protected groups. Selection from the group of finalists of the individual to fill the position is the responsibility of the unit administrator. A member of the Human Resources shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.

1.6. Although unit leaders are encouraged to post throughout the University any staff position that offers an important promotional opportunity to employees in other departments, the formal procedures for filling positions that involve utilizing the online application system for job announcements (see Sections [202](#) for broadbanded positions and [304](#) for non-banded) shall be optional in the following cases. (Whenever an appointment is based on one of the following options, the request to recruit must be completed online for benefitted positions and the specific option should be noted in the appropriate section of the online request to offer or on the NDSU [Change Form \(101\)](#) with relevant documentation attached.)

1.6.1 Timeslip employment that is not identified as a payroll budget appointment.

1.6.2 The transfer or promotion of an employee within a department or office, provided that the employee is fully qualified for the new position and was originally hired through a competitive search. This exception excludes faculty positions. This option is governed by [NDSU Policy 240](#) which provides procedures and the requirement of the hiring department to obtain permission from the Director of Human Resources/Payroll who will review for appropriateness of the promotion including equitable issues.

1.6.3 When there is concurrence by the hiring department, reassignment due to:

1.6.3.1 An injury resulting in worker's compensation award and subsequent retraining; or

1.6.3.2 A reduction-in-force.

1.6.4 When an employee, at time of hire or within two years of employment, has a spouse or partner who is fully qualified and interested in a university position. (Please note the responsibilities lies with the employed spouse/partner's unit supervisor to encourage the spouse/partner to locate positions that they feel they are fully qualified for and make an appointment with a staff member in Human Resources/Payroll Office and/or with the head/chair of the appropriate unit to review the spouse's/partner's education and experience. The hiring department will make the final hiring decision.

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1.6.5 At the request of the appropriate supervisor, the reinstatement of a former NDSU employee who has left his/her employment within the previous nine (9) months, provided that:

1.6.5.1 The employee had a satisfactory performance record; and

1.6.5.2 The employee is returning to a position requiring similar qualifications and having similar responsibilities; and

1.6.5.3 The position is within the department where he/she worked at the time of resignation.

Faculty and Executive/Administrative Staff

2. Executive/Administrative (primarily in 0000 job bands) and benefitted Academic Staff (in 2000 band – bands are defined in NDSU Policy 101.1.2), generally referred to as “non-banded employees,” include such positions as tenured and tenure-track faculty and deans. Recruitment falls under two primary categories: half time or less or interim (2.1) and more than half time (2.2).

2.1 Titled and/or Compensated Positions (~~less than~~ .50 FTE ~~or Less~~ or Interim)

If the appointment is either .50 FTE ~~or less~~ or stipulated to be for less than ~~four months~~ twenty weeks, the titled or compensated position shall be announced internally within the unit (and to other relevant internal units as appropriate to the position). The unit supervisor must ensure transparency and equal opportunities for individuals to learn about and apply for the positions. This means the unit supervisor must announce the position to appropriate unit(s) internally and accept applications for at least ~~ten~~ five working days, recommended up to ten days. Documentation of the announcement and review of applications must be provided to the Office of Equity, Diversity, and Global Outreach before the position is offered so Equity, Diversity, and Global Outreach can ensure compliance with this policy. Even when using internal searching, for any positions that come with fringe benefits, the formal search process detailed in policy 304 must be followed.

2.2 Equal to or Ggreater than .50 FTE, Non-Interim Positions

If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for ~~more than four months~~ equal to or more than twenty weeks, the position shall be announced throughout the appropriate recruiting areas as defined in Section 103.1 of this Manual (with the exception of Graduate level positions).

2.2.1 Generally speaking, the recruiting areas are:

2.2.1.1 Executive/Administrative positions in the 0000 band: national.

2.2.1.2 Benefitted Academic staff such as tenure/tenure track faculty in the 2000 band: national.

2.2.1.3 The 2000 level: lecturer, assistant coach, assistant experiment station specialist, Extension district directors, Extension area specialists, and Extension field staff: regional.

2.2.2 Recruitment for all benefitted executive/administrative and academic staff positions (all those in the 0000 and 2000 job bands) shall include the use of a search committee of at least three people to be appointed by the unit administrator at the time the unit requests authorization to fill a position opening. Unit administrators are urged to consider the importance of diversity when making appointments to search committees. NDSU Policy 339 requires for every faculty recruiting committee to include faculty from the unit and at least one student. A unit may wish to include both an undergraduate and a graduate student on the committee.

2.2.3 The search committee shall be involved in recruiting, screening, and interviewing applicants, with particular responsibility for affirmative action efforts to solicit and

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include applicants from underrepresented and protected groups. Selection from the group of finalists is the responsibility of the unit administrator and is based on the recommendation of the search committee. The Vice President for Equity, Diversity, and Global Outreach or designee shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.

2.2.4 Exceptions to searches for benefitted executive/administrative, and academic and professional broadbanded staff positions listed (greater than .50 FTE and longer than 4 months) are limited to the following:

2.2.4.1 The transfer of an academic staff member from a lecturer line to a probationary appointment as outlined in the employee's original contract provided that he or she had secured the appointment on a nationally competitive basis.

2.2.4.2 An externally funded appointment as a postdoctoral fellow, research scientist, or broadbanded research professional in a department where the individual has just completed an NDSU graduate degree and the assignment involves continuation of the research used for the individual's thesis/dissertation. This appointment is limited to the period for which funding has been given and normally may not exceed two years.

2.2.4.3 With prior approval, the temporary appointment of a person to a grant-funded position when the individual has been instrumental in the development of the project or is identified by name in the proposal as having unique expertise necessary to the project. This temporary appointment may not be continued beyond the period of the grant project, and the individual may not be transferred to any other University appointment without an appropriate search.

Note: To use this option, proposal writers should indicate their intention on the transmittal form and provide a letter of explanation when the proposal is submitted to the Office of Sponsored Programs Administration. Those submitting proposals for internal funding that are not reviewed in Sponsored Programs Administration should contact the Office for Equity, Diversity, and Global Outreach prior to submitting the proposal.

2.2.4.4 When an employee, at time of hire or within 2 years of employment, has a spouse or partner who is fully qualified and interested in a university position, the department or unit administrator is responsible to:

2.2.4.4.1 Contact Human Resources/Payroll Office and/or the relevant academic department(s) as soon as possible (depending on the spouse's/partner's education and experience); and

2.2.4.4.2 Encourage the spouse/partner to locate positions that they feel they are fully qualified for and make an appointment with a staff member in Human Resources/Payroll Office and/or with the head/chair of the appropriate unit to review the spouse's/partner's education and experience. The hiring department will make the final hiring decision.

2.2.4.5 At the request of the appropriate supervisor and with unit support, the reinstatement of a former NDSU employee who has left his/her employment within the previous nine (9) months, provided that:

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- 2.2.4.5.1 The employee had a satisfactory performance record; and
- 2.2.4.5.2 The employee is returning to a position requiring similar qualifications and having similar responsibilities; and
- 2.2.4.5.3 The position is within the department where he/she worked at the time of ~~resignation~~ leaving.

2.2.4.6 When there is concurrence by the hiring department, reassignment due to:

- 2.2.4.6.1 An injury resulting in worker's compensation award and subsequent retraining; or
- 2.2.4.6.2 A reduction-in-force.

All Positions

3. Exceptions to this policy may be authorized by the President in unique circumstances.

A written request for the Presidential exception is initiated by the hiring department and forwarded through the appropriate supervisory line to the unit's dean or director. If there is support from the dean or director, the request is forwarded to the Provost or the appropriate vice president. If the request is supported by the vice president after consultation with the Vice President for Equity, Diversity, and Global Outreach and the unit's dean and director, it is forwarded by the Provost or Vice President to the President for consideration.

HISTORY:

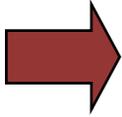
New May 15, 1978 Amended February 6, 1979 Amended April 21, 1981 Amended November 13, 1989 Amended September 24, 1991 Amended April 1992 Amended August 1993 Amended December 1994 Amended May 4, 1999 Amended October 2001 Amended October 2004 Amended April 2005 Amended October 2006 Amended October 2007 Amended May 2008 Housekeeping September 2009 Housekeeping July 2010 Amended October 2010 Housekeeping December 2010 Housekeeping March 2011 Amended September 30, 2012

Faculty Senate Minutes

Policy 168 Version 1 090913

Policy Change Cover Sheet

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



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

SECTION: Policy 168 Reasonable Accommodation on the Basis of Disability - Guidelines for Employee Requests

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change: The major changes to Policy 168 is that all formal and informal employee-requests for reasonable accommodations must be submitted to one area on campus, Human Resources/Payroll and an appeal process is outlined creating an Accommodation Review Board to review any appeal to the accommodation decision and make a recommendation to the NDSU ADA Coordinator whose decision will be final.
2. This policy was originated by (individual, office or committee/organization):
 - Submitted by: Office of Equity, Diversity and Global Outreach/Vice President Evie Myers (on behalf of and working with the FORWARD Task Force on Women Faculty with Disabilities)
 - Date submitted: 9/10/2013
 - Email address of the person who should be contacted with revisions: Lois.Christianson@nds.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

Faculty Senate Minutes

North Dakota State University Policy Manual

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

SOURCE: NDSU President

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

2. APPLICANTS for employment:

2.1 Applicants for employment who have a disability may request reasonable accommodation at any time during the application process. Requests for accommodation ~~may be made orally to the hiring department or shall be made to~~ the Office of Human Resources/Payroll. ~~Requests will be addressed in a timely fashion.~~ Applicants will be ~~asked~~ required to confirm their request in writing, ~~but however,~~ the arrangements for accommodation ~~may be initiated prior to will not depend on~~ receipt of the written request.

3. EMPLOYEES:

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

3.2 Process for addressing requests for accommodation.

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

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

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~~on the NDSU forms page or by request from the Office of Human Resources/Payroll. As soon as possible after the employee's notification of the need for accommodation to the supervisor, the employee and supervisor should engage in a discussion to clarify what the employee needs and identify appropriate reasonable accommodation.~~

~~3.2.1. The University will attempt to provide the accommodation in the form requested by the employee but may provide an alternative so long as it is effective in removing the workplace barrier(s) that impedes the employee with the disability. The employee may refuse an alternative reasonable accommodation but such refusal may mean the individual no longer is qualified for the job.~~

~~3.3 Documentation of disability and need for accommodation requirements. Within one week of the verbal notification, an employee will be expected to confirm the request in writing to the supervisor (a form is available on the WEB at <http://www.ndsu.edu/forms/#equity5> [see Forms section] or from the Office of Human Resources/Payroll). Unless both the disability and the need for accommodation are obvious, the employee will be asked to provide relevant, written documentation of a disability. Documentation should be from an appropriately certified or licensed health care or rehabilitation professional and must specify the existence of a Section 504/ADA disability and explain the need for reasonable accommodation.~~

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

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

~~This documentation should be provided on the form available at <http://www.ndsu.edu/forms/#equity5> [see Forms section] or from the Office of Human Resources/Payroll.~~

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

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

Faculty Senate Minutes

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

4 The determination of a reasonable accommodation shall be an interactive process involving the employee, Office of Human Resources/Payroll and relevant administrative personnel. The University may provide an alternative to the requested accommodation so long as it is effective in removing the workplace barrier(s) that impede(s) the employee with the disability. The employee may refuse an alternative reasonable accommodation, but such refusal may mean the individual may not be able to perform the essential functions of the job, which may require a fitness for duty evaluation under NDSU no longer is qualified for the job. (See Policy 161: Fitness for Duty.)

54.1 An applicant or an employee with a disability, as defined by law, who is dissatisfied with the response to his/her request for reasonable accommodation and wishes to ~~take formal action~~ may file a grievance using NDSU Policy 156 – Equal Opportunity Grievance Procedures. ~~appeal~~, may do so in writing to the Office of Human Resources/Payroll within ~~ten~~ working days of the response.

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

4.34.1 Members of the ARB shall include:

- Director of Human Resources/Payroll or Designee
- University General Counsel or Representative Designee
- Director, of (Student) Disability Services or Designee
- Equal Opportunity Specialist, Equity, Diversity & Global Outreach or Designee
- Vice Provost for Advancement of Faculty or Designee



Managing Electronic Communications

Forms of Electronic Communication Include:

1. E-mail
2. Instant Messaging (Lync, Google Talk, AIM, Yahoo! Messenger, etc.)
3. Voicemail
4. Text Messages
5. Video Chat (Skype, Lync...)
6. Learning Management Systems (Blackboard)

Advice

1. Keep business and personal activities as separate as possible (e.g., use your work e-mail for work only, and do not conduct work activities with your personal e-mail account).
2. Be purposeful about managing your records. Don't keep records that need to be retained in your e-mail account.
3. When communicating electronically, think how your communication might look if it appeared on the front page of the paper.
4. Remember that, in general, you have very little privacy in the digital age. Companies like Google probably know more about you than you think they do.

Areas of Concern

1. Privacy
2. Open Records
3. Records Retention
4. Incidental Use
5. Personal Devices Used for Work

Privacy Concerns

1. Who can see my data?
2. What can they see?
3. How do I know the people who can see my data without my knowledge are being responsible?
4. I need some people to see some things and not others. Can I do that?

Who can see my data?

Service	NDSU-IT	NDUS-SITS
ConnectND (HR, Finance, Student)	Yes, not full access	Yes
Email (Office 365)	Yes	Yes
Blackboard	Yes	No
Web (TYPO3)	Yes	No
Network Logs	Yes	No
Managed Desktop	Yes	No
Cluster/Classroom Desktops	Yes	No
Tegrity	Yes	No, but they manage the contract
PeopleAdmin	No	No

Who Can See My Data? Third Party Services

1. These services include: Dropbox, Box.com, iCloud, Personal Google Account, and many others.
2. If you use services not managed by IT to store data:
 - a. We cannot tell you who can and cannot see your data.
 - b. The terms of the service may violate state or federal laws.
 - c. You may be exposed to risk unassociated with IT managed services.
3. You are responsible for protecting this data and producing it as required by applicable laws.
4. If you are an administrator, you may be responsible for your employees' use of third party services.

Privacy Concerns: What can they see?

1. It varies from service to service.
2. Some services, IT staff have full access (read and write) to everything.
3. Some services, IT staff have limited to no access. This is more likely to be true of hosted services such as PeopleAdmin.

Privacy Concerns: IT Staff

1. Are expected to follow NDUS Procedure 1901.2.
2. Are expected to follow NDSU policies 158 and 710.
3. Have a signed confidentiality agreement on file.
4. Have expectations reviewed at all staff meetings.
5. Have not had a violation in at least 10 years.

Privacy Concerns: IT Confidentiality Agreement

NDSU INFORMATION TECHNOLOGY DIVISION
Confidential Information Agreement

Relevant Policies and Procedures

North Dakota State University Policy 158: Acceptable Use of Electronic Communication Devices
[http://www.ndsu.edu/pubweb/~itdiv/policies/158.htm](#)

North Dakota State University Policy 158.1: Email as an Official Communication Method for Employees
[http://www.ndsu.edu/pubweb/~itdiv/policies/158.1.htm](#)

NDSU Policy 210: Computer and Electronic Communications Facilities
[http://www.ndsu.edu/pubweb/~itdiv/policies/210.htm](#)

North Dakota University System [http://www.ndsu.edu/pubweb/~itdiv/policies/210.htm](#) (1900's Miscellaneous)
NDSU PROCEDURE 1901.2, section 1: Authorized use (definition)
NDSU PROCEDURE 1901.2, section 4.2: Imposition of sanctions
NDSU PROCEDURE 1901.2, section 4.4: Monitoring of usage, inspection of electronic information

As an employee of the Information Technology Division (the Division) of North Dakota State University, you are entrusted with certain responsibilities and special privileges. You may encounter or have access to sensitive and/or confidential information during the day-to-day execution of your job. This may include, but is not limited to:

- Academic records, test and grades, financial aid reports, or other academic information
- Personal health information
- Personally identifiable information such as social security numbers, names, addresses, phone numbers, employee identification numbers
- Personal financial information such as credit card information, employment records, payroll, or compensation information
- Login identity and passwords, email, network access logs, or other files
- Contracts, intellectual property information including but not limited to research, copyright information, patents, unpublished works either electronic, in print, or artistic format

Access to student academic records, student/employee health information, and student/employee financial information is governed by the State Board of Higher Education policies, the North Dakota Century Code, and federal laws, including the Family Educational Rights and Privacy Act of 1974 (FERPA). Any unauthorized access to, or unauthorized disclosure of this information is considered a violation of these policies and laws. Questions concerning student records, health records, personnel records, personal financial information, contracts, and/or intellectual property should be directed to your supervisor, or the Human Resources/Payroll office, or the Registration and Records office.

As a Division staff, your position may authorize you substantial access to systems, databases and various records, and you should use due diligence in taking reasonable steps to protect sensitive/confidential information.

Any unauthorized access, modification, manipulation, destruction, or disclosure of confidential information is a violation of the above noted NDSU and NDSU policies and procedures, and may be a violation of applicable federal and state laws.

I have read and understood the information above. I understand that failure to comply with this agreement may subject me to disciplinary action. I acknowledge that this agreement will become part of my permanent personnel file and reviewed annually.

Print Name _____ Signature _____
Date _____

Confidential Information Agreement, 09-7-2012

Third Party Access

1. Delegation
2. Sharing
3. Administrative Access
4. Unauthorized

3rd Party Access: Delegation

1. Delegation of access to your data is possible and often desirable.
2. Executive assistants often manage calendar and e-mail on behalf of administrators.
3. IT can help you do this safely.

3rd Party Access: Sharing

1. Content sharing is common and necessary.
2. This can be safely done in many services. These include:
 - a. E-mail/Calendar
 - b. Blackboard
 - c. Windows File Service (aka WFS or S:/X:/U: drives, formerly Novell)
 - d. Google Drive (New)
 - e. Office 365 Sharepoint
 - f. ImageNow
3. Content sharing can be done in an unsafe manner. If you have questions or help, contact the Help Desk.

3rd Party Access: Administrative

1. IT staff can and do look at your content.
2. Guidelines for administrative access to your content are clear and staff are aware of them.
3. Guidelines are indented to protect privacy and prevent misuse of administrative privileges.
4. In general, this is a good thing. It allows central IT to effectively manage services and help you.

Privacy in Policy: 1901.2 2.1

2.1 Privacy

In general, all electronic information shall be free from access by any but the authorized users of that information. Exceptions to this basic principle shall be kept to a minimum and made only when essential to:

1. meet the requirements of the state open records law and other statutory or regulatory requirements;
2. protect the integrity of the College or University and the rights and property of the State;
3. allow system administrators to perform routine maintenance and respond to emergency situations such as combating "viruses" and the like (see 4.3, 4.4).

1901.2 4.4: Allowances for Monitoring without Notification

1. The user has voluntarily made them accessible to the public.
2. It reasonably appears necessary to do so to protect the integrity, security, or functionality of the Institution or to protect the Institution or NDUS from liability.
3. There is reasonable cause to believe that the user has violated, or is violating, Institution or NDUS policies or any applicable laws.
4. An account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns.
5. A legally served directive of appropriate law enforcement agencies has been received.
6. A specific complaint of suspected or alleged violation of policy or law regarding a specific system or activity has been received.

3rd Party Access: Unauthorized

1. No incidents of this by central IT staff at NDSU in more than 10 years.
2. Most common is due to security issues.
3. Most common security issues are:
 - a. Viruses
 - b. Phishing attempts
 - c. Drive by web attacks
 - d. Out-of-date patches on endpoints (e.g., laptops, desktops, handhelds)
4. Compromise of centrally hosted servers is rare.

Open Records Concerns

1. What constitutes a record?
2. Which of these records are open and which are not?
3. What about “records” stored on my personal device (e.g., phone, computer, tablet)?

What constitutes a record?

1. NDCC 54-46-02 defines a record as "A document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law in connection with the transaction of official business."
2. A record is anything that:
 - a. Your office created;
 - b. Your office acted on;
 - c. Your office receives for action;
 - d. Your office is designated as the custodian of (i.e. record-holder);
 - e. Your office needs to document its decisions.

Source: NDSU Records Management FAQ. <http://www.ndsu.edu/recordsmanagement/faq/>.

What records are open and what are not?

1. Everything is open by default.
2. Common sources of exemption from open records laws include:
 - a. FERPA
 - b. HIPPA
 - c. Intellectual Property
 - d. IRB regulated data

Records and Personal Devices

1. A record is a record, regardless of where it is stored.
2. Storing records on personal devices may open these devices to open records searches.
3. If you are asked for a specific record as part of an open records request, you must produce it regardless of the device it is stored on.

Records Retention

1. What do I need to keep?
2. What don't I need to keep?
3. How long do I need to keep it?
4. Will/does the IT Division take care of this for me?

Retention Guidelines

1. Records retention rules are not an IT function.
2. NDSU's schedule is available at http://www.ndsu.edu/recordsmanagement/records_retention_schedule/
3. This schedule tells you what you do/don't need to keep, how long you must keep it, and if/when you must destroy it.

Does IT take care of retention for me?

1. **No.**
2. IT does not look at the content of your data unless there is a need as previously described.
3. Retention rules are not medium specific. There is not a specific rule for e-mail retention. E-mail messages may fall under various retention schedules, or none at all. You are responsible for managing this.
4. **However**, IT is responsible for making sure data on systems we manage are not lost due to hardware malfunction, software malfunction, or loss of physical facilities and **Blackboard** course retention schedules have been aligned with the retention schedule for student records.[†] Further, IT and General Counsel review relevant contracts/licenses to ensure that products used will allow for compliance with relevant records laws (among other things).

[†]See http://www.ndsu.edu/its/instructional_services/blackboard/archival_retention_procedure/ for details.

What does IT Keep?

1. Authentication logs for most applications (e.g., Marc.Wallman logged into WFS on 8/1/2013 at 14:22:55, Cece.Rohwedder logged into cluster computer IACC-150-11 on 8/8/2013 at 15:15:21).
2. Some content access logs (e.g., logs for the last time a student connected to a particular class in Blackboard)
3. Backups of all services we run. Backups are kept for disaster recovery purposes, not for archival use. They are kept for approximately 30 days.
4. Retention duration of logs referenced in #1 and #2 above vary by service.

Incidental Use

1. What is allowed? Activities that do not:
 - a. Interfere with operations
 - b. Burden the institution with incremental costs.
 - c. Interfere with users' obligations to the institution.
2. What is not allowed? Activities that are not allowed include:
 - a. Political activity
 - b. For-profit activity
 - c. Illegal or malicious activity
 - d. Activity that conflicts with other policy (e.g., AUP)

Incidental Use: Definition of Authorized Use

“Use of computing and networking resources shall be limited to those resources and purposes for which access is granted. Use for political purposes is prohibited (see Section 39-01-04 of the ND Century Code). Use for private gain or other personal use not related to job duties or academic pursuits is prohibited, unless such use is expressly authorized under governing institution or system procedures, or, when not expressly authorized, such use is incidental to job duties or limited in time and scope, and such use does not: (1) interfere with NDUS operation of information technologies or electronic mail services; (2) burden the NDUS with incremental costs; or (3) interfere with the user's obligations to the institution or NDUS.”

Source: NDUS Procedure 1901.2.

Personal Devices Used for Work

1. Allowed.
2. Must follow procedure 1901.2. Pay special attention to section 3.4.
3. Does not exempt you from any records requests or obligations.
4. May open your personal content in ways you may not like.
5. May obligate you to take steps to protect the content against accidental loss.

Advice

1. Keep business and personal activities as separate as possible (e.g., use your work e-mail for work only and do not conduct work activities with your personal e-mail account).
2. Be purposeful about managing your records. Don't keep records that need to be retained in your e-mail account.
3. When communicating electronically, think how your communication might look if it appeared on the front page of the paper.
4. Remember that, in general, you have very little privacy in the digital age. Companies like Google probably know more about you than you think they do.

NDSU NORTH DAKOTA
STATE UNIVERSITY

Assessment of Teaching Faculty Senate *Ad Hoc* Committee

STUDENT FOCUSED • LAND GRANT • RESEARCH UNIVERSITY

SROI Transition

- 8-Year Transition Process
 - Approved by Faculty Senate on April 8, 2013
 - Provides consistency of assessment
 - Maximizes choice while also minimizing impact upon current faculty
 - Promotes evidence-based decision making
 - Will ultimately result in an improved SROI

NDSU NORTH DAKOTA
STATE UNIVERSITY
10/14/2013

SROI Transitional Items

- 16 Common Items
 - Q1-6: Current SROI Items
 - Q7-11: FORWARD-Proposed Items
 - Q12-16: Committee-Proposed Items
- Retained 36 optional department items
- Retained comment box
- Added basic student demographics

NDSU NORTH DAKOTA
STATE UNIVERSITY
10/14/2013

Transition Timeline

- Fall 2013: Begin administering 16 items
 - Both electronic and paper formats
- Fall 2014: Faculty Senate committee will analyze data and recommend final items
- Fall 2015: Newly hired faculty begin using approved items
- Spring 2021: Transition process ends

NDSU NORTH DAKOTA
STATE UNIVERSITY
10/14/2013

North Dakota State University

Student Rating of Instruction

Call #

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1	2	3	4	5
6	7	8	9	0
1	2	3	4	5
6	7	8	9	0
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6	7	8	9	0
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Gender:
 Male
 Female

Level:
 Freshman
 Sophomore
 Junior
 Senior
 Graduate

Course is:
 Elective Required

Expected Grade:
 A B C D F

Code

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A	A	A	A	A
B	B	B	B	B
C	C	C	C	C
D	D	D	D	D
E	E	E	E	E
F	F	F	F	F
G	G	G	G	G
H	H	H	H	H
I	I	I	I	I
J	J	J	J	J

Directions:
 Using a #2 pencil only, blacken the bubble that best represents your response to each item.

Response Scale for Items 1-6 (from left to right):
 VP=Very Poor, P=Poor, IB=In Between, G=Good, VG=Very Good

	VP	P	IB	G	VG
1. Your satisfaction with the instruction in this course.	<input type="radio"/>				
2. The instructor as a teacher.	<input type="radio"/>				
3. The ability of the instructor to communicate effectively.	<input type="radio"/>				
4. The quality of this course.	<input type="radio"/>				
5. The fairness of procedures for grading this course.	<input type="radio"/>				
6. Your understanding of the course content.	<input type="radio"/>				

Response Scale for Items 7-16: SD=Strongly Disagree, D=Disagree, N=Neutral, A=Agree, SA=Strongly Agree

	SD	D	N	A	SA
7. This instructor created an atmosphere that is conducive to learning.	<input type="radio"/>				
8. This instructor provided well-defined course objectives.	<input type="radio"/>				
9. This instructor provided content and materials that were clear and well organized.	<input type="radio"/>				
10. I understood how my grades were assigned in this course.	<input type="radio"/>				
11. I met or exceeded the course objectives given for this course.	<input type="radio"/>				
12. The instructor was available to assist students outside of class.	<input type="radio"/>				
13. The instructor provided feedback in a timely manner.	<input type="radio"/>				
14. The instructor provided relevant feedback that helped me learn.	<input type="radio"/>				
15. The instructor set and maintained high standards that students must meet.	<input type="radio"/>				
16. The physical environment was conducive to learning.	<input type="radio"/>				

17. <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>	22. <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>	27. <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
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Comments (in box only)

Large empty box for comments.

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

November 18, 2013

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, T. Barrett, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, A. Denton, S. Duffield, M. Engler, E. Gillam, G. Gramig, R. Green, T. Hall, C. Hargiss, J. Harmon, C. Hawley, E. Hilliard, F. Huseynov, X. Jia, B. Johnson, J. Jones, W. Lin, F. Littman, T. Lundeen, L. Manikowske, S. Rahman, G. Shen, B. Suzen, R. Sylvester, A. Tangpong, L. Thomas, M. Weber, N. Yu, and P. Zhao.

Substitution: C. Hargiss for T. DeSutter, A. Welch for S. Duffield, Z. Majdik for C. Platt, K. Rodgers for S. Sather-Wagstaff, and L. Jiang for A. Tangpong

I. Approval of Minutes

MOTION (Green/Weber): to approve the minutes of the October 14, 2013, meeting as posted.
MOTION CARRIED WITH UNANIMOUS CONSENT

II. Consent Agenda

- a. Academic Affairs Report ([Attachment 1](#))
- b. Informational Policy Changes
 - i. [101](#) – Personnel Definitions ([Attachment 2](#))
 - ii. [128](#) – Timeslip Payroll and Electronic Timekeeping/Temporary Staff ([Attachment 3](#))
 - iii. [603](#) – Sexual Misconduct and Title IX Compliance ([Attachment 4](#))
 - iv. [721](#) - Campus Emergency Notification Systems (CENS) ([Attachment 5](#))

MOTION (Green/Hall): to approve the Consent Agenda as presented. MOTION CARRIED WITH UNANIMOUS CONSENT.

III. General Announcements

a. NDSU President –

President D. Bresciani reported that he is in the process of forming the search committee for a new provost. It will be heavily weighted with faculty representation, but will include a variety of individuals representing various divisions and entities. The goal is to have the search committee in place before the end of the semester and a new provost identified by the close of spring semester. A search firm will be utilized.

b. NDSU Provost –

Due to Provost Rafert being unable to attend Faculty Senate, the discussion on equity allocation was postponed.

c. President of Staff Senate –

K. Bisek provided the following announcements and updates:

- i. A Discover U event with featured speaker Rollie Johnson attracted more than 100 attendees. The theme was creating a new you, maintaining a positive attitude, and working in a team. Bisek informally surveyed senators to gauge future interest of faculty in such events.

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- ii. Holiday Vendor Market – This event will feature local vendors and home-based businesses with various crafts and products. It is scheduled for Tuesday, November 26, 4-7 p.m., in the Alumni Centers. Profits will support NDSU scholarships.
 - iii. Staff waiver – The application of the tuition waiver to self-funded courses is being discussed again at the state level.
 - iv. Staff Senate raffle tickets are now on sale and will fund staff and dependent scholarships. Anyone interested in purchasing a ticket can contact a staff senator, including Bisek. Various prizes include Bluebird Garden share, DIY projects, and more.
- d. Vice President of Student Body –
- E. Diederich reported the following:
- i. STEM Building – Students are pleased thus far with the innovative study spaces and preservation of as much green spaces as possible with the new STEM building plans.
 - ii. Water bottle filling stations will be strategically placed throughout campus.
 - iii. Spring Blast – Efforts are underway to increase student participation in this event, including a large scale concert.
 - iv. Grade Scale changes – A plus/minus grading proposal is being considered to bring forward to Faculty Senate. Student representatives will meet with the registrar to look at options and past efforts.
 - v. Faculty lunch program is being considered that would allow students to use vouchers to take faculty to lunch once/semester to try to bridge classroom and personal connections.
 - vi. Higher Education Day was held on campus in mid-November. Several state legislators and national congressional delegates came to campus to learn about student and NDSU issues. Students thanked them for the new funding model and for approving the STEM building.

Questions were asked about specific grading scale efforts and students were praised for meeting with legislators and other elected officials.

IV. Senate Committee Reports

- a. Academic Affairs –

B. Christensen introduced the following policies for discussion and vote:

- i. Changes to NDSU Academic Standing ([Attachment 6](#)) -

MOTION (Welch/Hawley) to approve proposed changes based on rationale provided.
MOTION CARRIED WITH UNANIMOUS CONSENT.

- ii. Proposed Changes to Graduation with Honors Policy ([Attachment 7](#)) –

MOTION (Weber/Suzen): to approve the proposed policy changes as presented. Concern was raised about disadvantaging NDSU who begin their studies at NDSU rather than at another institution which is no longer calculated into the GPA for graduation honors.

MOTION CARRIED on a vote of 32-2-0. The following senators or their substitutes voted aye: Akyuz, Barrett, Benson, Burghaus, Clark, Denton, Duffield, Engler, Gillam, Gramig, Green, Hall, Harmon, Hawley, Hilliard, Huseynov, Jia, Johnson, Jones, Lin, Littman, Lundeen, Manikowske, Platt, Rahman, Sather-Wagstaff, Shen, Suzen,

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Tangpong, Thomas, Weber, Yu, and Zhao. The following senators or their substitutes voted no: Hargiss and Sylvester.

A question arose on the number of credits required residency for graduation, which is perceived as low by some when compared to peers. This can be further analyzed.

b. General Education/Accreditation –

L. Peterson presented the following for discussion and vote:

- i. UNIV 151: Science and Society was approved as a new General Education course last year within the category of Science and Technology. At that time, it also should have been presented for inclusion as a Global Perspectives course. MOTION (Hawley/Welch): to approve UNIV 151 as satisfying the additional General Education category. MOTION CARRIED WITH UNANIMOUS CONSENT.

Peterson made the following announcements:

- ii. Core Undergraduate Learning Experience (CULE) Committee is in the building phase of a new general education model for NDSU, which should be complete before January. When the proposed new model is presented to the Senate, new general education administrative policies, course assessments and other information also will be presented.
- iii. Each department chair/head has been sent a memo from the University Assessment Committee to look at student learning in the various majors. Departments must complete a report indicating what students must learn in their majors and how that learning is assessed, similar to how it already is handled in accredited programs. It is important for departments to be able to demonstrate that students are mastering common learning outcomes for the major by the time of graduation. Guidelines from the Degree Qualifications Profile will be provided along with recommended due dates.

V. Unfinished Business

a. Ad-Hoc Committee on Curriculum Approval and Review Chair -

Hatterman-Valenti reported that deans will be asked to suggest representatives from their colleges to serve on an ad hoc committee focused on processes and interrelationships between four existing standing committees: Academic Affairs, General Education, University Assessment and Program Review. D. Comez, mathematics, has agreed to serve as committee chair. The committee will be formed by late November.

VI. New Business

a. Ombudsperson position –

R. Green reported that the search for an ombudsperson is underway. This position initially will serve faculty only, but its role will be continually assessed. One issue under review is ensuring that an administrator, particularly a provost, is not responsible for evaluating this position. It likely will be reviewed by the Faculty Affairs Committee. Committee members include Virginia Clark Johnson, Miriam Mara, Colette Erickson, Charlene Wolf Hall, Roger Green. Approximately 45

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applications have been received to date. Faculty are encouraged to participate in the on-campus interview process.

b. Library Update – ([Attachment 8](#)) –

K. Rodgers provided an update on the library resolution that was presented to Faculty Senate last year. This included an increase in student fee as well as equity funding to increase its funding and competitiveness level. Students increased their support for the library, and central administration also increased funding, which resulted in a doubling of the library budget, which will result in the restoration of some electronic subscriptions.

The NDSU Archives are moving to a different off-site location because the current lease at the Skills Center (NDSCS) was not renewed.

A question was posted on whether additional student fees will be sought as the request deadline is coming up. This is not anticipated, but was not ruled out.

c. STEM Building Resolution ([Attachment 9](#)) –

K. Benson presented a resolution for the new STEM building regarding lactation room and single stall/gender neutral/family restrooms.

MOTION (Lundeen/Green): to approve the resolution as presented. MOTION CARRIED WITH UNANIMOUS CONSENT.

A STEM Building Open Forum is scheduled for Wednesday, December 4, 11 a.m. Faculty and senators are encouraged to participate and provide feedback.

d. NDSU Bookstore –

C. Wichman discussed textbook adoptions. He indicated that only 52% of classes have textbook information on file for spring semester. It is important to notify the Bookstore whether or not any books or materials will be required either as required or recommended. If no books are required or if the same texts are being used from term to term, it is important for the Bookstore to know this information as well. Only 27% of departments have completed orders for spring semester thus far. A faculty open house with refreshments is being planned.

VII. Adjournment

The Faculty Senate meeting adjourned at 4:30 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary,

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Attachment 1

Academic Affairs Committee Report

Approved Curricular Recommendations

New Degree							
Master of Human Development and Family Science (M.HDFS)							
New Certificates (Graduate Level)							
Youth Development Option in Human Development and Family Science							
Youth Program Management and Evaluation Option in Human Development and Family Science							
New Certificate Options (Graduate Level)							
General Public Health Option in Public Health							
American Indian Public Health Option in Public Health							
Program Title Change in Health, Nutrition, and Exercise Sciences							
From: Sport and Recreation Leadership				To: Sport Management			
Degree Deletion							
Accounting, Bachelor of Arts							
Business Administration, Bachelor of Arts							
Management Information Systems, Bachelor of Arts							
Sport and Recreation Leadership, Bachelor of Arts							
New Courses							
Subject	No.	Title				Crs.	
CSCI	312	Survey of Programming Languages				3	
EDUC	452/652	Assessment and Testing of Culturally Diverse Students				2	
HDFS	110	Introduction to Human Development and Family Science				1	
HNES	790	Seminar: Athletic Training Research				2	
WGS	450	Issues in Women and Gender Studies				3	
Course Deletions							
HNES	636	Issues in Sport Management Economics				3	
MICR/ CFS	454/654	Bioprocessing				3	
MICR	464/664	Etiology of Foodborne Illness				3	
Course Changes							
<i>From:</i>				<i>To:</i>			
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.
BIOL	459	Evolution	3	BIOL	359	Evolution	3
CSCI	702	Performance Evaluation	3	CSCI	802	Performance Evaluation	3
CSCI	708	Foundations of Programming	3	CSCI	808	Foundations of Programming	3
CSCI	722	Compiler Construction	3	CSCI	822	Compiler Construction	3
CSCI	734	Expert Systems	3	CSCI	834	Expert Systems	3
CSCI	735	Neural Networks	3	CSCI	835	Neural Networks	3
CSCI	742	Algorithms and Complexity	3	CSCI	842	Algorithms and Complexity	3
CSCI	745	Formal Methods for Software Development	3	CSCI	845	Formal Methods for Software Development	3
CSCI	746	Development of Distributed Systems	3	CSCI	846	Development of Distributed Systems	3
CSCI	747	Software Complexity Metrics	3	CSCI	847	Software Complexity Metrics	3
CSCI	758	Bioinformatics Data Mining	3	CSCI	858	Bioinformatics Data Mining	3
CSCI	759	Computational Methods in Bioinformatics	3	CSCI	859	Computational Methods in Bioinformatics	3
CSCI	761	Integer Programming	3	CSCI	861	Integer Programming	3
CSCI	762	Network Flows	3	CSCI	862	Network Flows	3

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Attachment 1

CSCI	766	Database System Internals	3	CSCI	866	Database System Internals	3
CSCI	779	Advanced Data Mining	3	CSCI	879	Advanced Data Mining	3
CSCI	780	Methods of Optimization	3	CSCI	880	Methods of Optimization	3
CSCI	785	Topics in Computer Architecture	3	CSCI	885	Topics in Computer Architecture	3
CSCI	789	Topics in Theoretical Computer Science	3	CSCI	889	Topics in Theoretical Computer Science	3
EDUC	126	Self-Esteem	1	EDUC	126	<i>The Art of Living</i>	1
MICR	756	Zoonoses and Rural Public Health	3	MICR	756	<i>Advanced Topics in Public Health Microbiology</i>	3
PHIL	323	Modern Philosophy	4	PHIL	323	Modern Philosophy	3

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions

Subject	No.	Title	Prerequisite/Corequisite Change
ADHM	485/685	Global Consumer Analysis	Change in Bulletin Description
HNES	774	Therapeutic Exercise	Change in Bulletin Description Prereq: HNES 782
HNES	775	Therapeutic Modalities	Change in Bulletin Description Prereq: HNES 770
HNES	776	Injury Recognition and Evaluation of General Medical Conditions	Change in Bulletin Description Prereq: HNES 782
HNES	778	Athletic Training Organization and Administration	Change in Bulletin Description Prereq: HNES 776
HNES	780	Athletic Training Techniques	Change in Bulletin Description; Req: Accepted into the Master of Athletic Training Program
HNES	781	Orthopedic Assessment I	Change in Bulletin Description Prereq: HNES 780
HNES	782	Orthopedic Assessment II	Change in Bulletin Description Prereq: HNES 781
HNES	783	Athletic Training Clinical Experience I	Change in Bulletin Description Prereq: HNES 780
MICR	450L	Infectious Disease Pathogenesis Laboratory	Prereq: MICR 350L Req: Microbiology Majors Only

New Special Topics (For information only)

AGEC	499	Advanced Agricultural Lending	3
MRKT	499	Customer Relationship Management & Sales Technology	3

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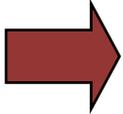
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Attachment 2

Policy Change Cover Sheet

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



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

SECTION:

101 PERSONNEL DEFINITIONS

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

- Is this a federal or state mandated change? Yes No
- Describe change: At the last NDUS Human Resource Council meeting, we discovered that the temporary employee limits do not include timeslip student employees or graduate assistant employees. The change in the policy is to take out student employees and 'clarify' the timeslip employee limitation.

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

- Colette Erickson
- Colette.erickson@ndsu.edu = Email address of the person who should be contacted with revisions

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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Attachment 2

North Dakota State University Policy Manual

SECTION 101

PERSONNEL DEFINITIONS

SOURCE: SBHE Policy Manual, Sections 605.1 and 606.1
NDUS Human Resource Policy Manual
NDSU President

1. CLASSIFICATION STATUS

1.1 Staff Employee

A person in a position covered by the North Dakota University System Broadbanding System.

1.2 Non-Banded Employee

1.2.1 Academic Staff

Faculty (instructors, assistant, associate or full professors), lecturers, and graduate assistants.

1.2.2 Other Non-Banded

Staff excluded from broadbanding by Board rule: president, executive deans, vice presidents and officers of the institution or staff holding positions the institution president has excluded by designation, including coaches, extension and experiment station professionals, and others in 2000 job categories not included in 1.2.1 above.

2. EMPLOYMENT STATUS

2.1 Regular Employee

A *staff employee*, who satisfactorily completes a probationary period, or a *non-banded employee*, who is employed at least seventeen and one-half hours per week if hired before August 1, 2003 or twenty hours per week if hired on or after August 1, 2003, and at least twenty weeks each year.

2.1.1 Full-Time Employee

A person employed on a regular basis for a minimum of 40 hours per week.

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2.1.2 Part-time Employee

A person employed on a regular basis for less than 40 hours per week.

A part-time lecturer is generally considered to be a regular employee if she/he teaches 6 or more credits for two or more consecutive semesters. Credits taught through Continuing Education are not applicable for purposes of this definition.

2.2 Temporary Employee

A person employed in a position of intermittent or limited duration not to exceed one year, a seasonal position, or in a position working less than seventeen and one-half hours per week, or less than five months per year, if hired before August 1, 2003, or **less than** twenty hours per week or less than 20 weeks per year if hired on or after August 1, 2003. ~~(This includes graduate assistants and student employees whose employment is incidental to their student status).~~

2.2.1 A seasonal position is one in which a person works less than eight months per year during an institutionally designated "season," such as the agricultural growing season. A seasonal employee must be terminated at the end of the institutionally recognized season, but may be rehired for a future season although there is no guarantee of re-employment.

3. OVERTIME ELIGIBILITY STATUS

3.1 Nonexempt Employee

Those employees serving in positions covered by the Fair Labor Standards Act who are eligible for overtime pay or compensatory time off. Generally those employees in bands 4000 through 7999 are included in this group.

3.2 Exempt Employee

Those employees serving in positions exempt from the overtime pay and compensatory time off provisions of the Fair Labor Standards Act because their administrative, professional or managerial responsibilities meet the exemption requirements of the Act. Generally this includes employees in bands 1000 through 3999.

HISTORY:

New	July 1990
Amended	April 1996
Amended	August 1997
Amended	August 1998
Amended	July 1999
Amended	December 1999
Amended	December 2000
Amended	February 2001
Amended	October 2001
Amended	April 2005
Amended	January 2007
Amended	September 18, 2013

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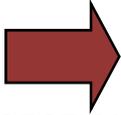
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Attachment 3

Policy 128 Version 1 Date092013

Policy Change Cover Sheet

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



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

SECTION: 128 TIMESLIP PAYROLL AND ELECTRONIC TIMEKEEPING/TEMPORARY STAFF

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change:
 - 1. At the last NDUS Human Resource Council meeting, we discovered that the temporary employee limits do not include timeslip student employees or graduate assistant employees. The change in the policy is to take out student employees and 'clarify' the timeslip employee limitation.
 - 2. A campus user requested we change the order of Section 3 so that the guidelines are before the job codes.
2. This policy was originated by (individual, office or committee/organization):
 - Colette Erickson
 - Email address of the person who should be contacted with revisions Colette.erickson@ndsu.edu

This portion will be completed by Kelly Hoyt.

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

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

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Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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Attachment 3

Policy [128](#) Version [1](#) [Date092013](#)

North Dakota State University Policy Manual

SECTION 128

TIMESLIP PAYROLL AND ELECTRONIC TIMEKEEPING/TEMPORARY STAFF

SOURCE: NDSU President

1. A timeslip/temporary employee is a person employed in a position of intermittent or limited duration not to exceed one year, a seasonal position, or in a position working less than seventeen and one-half hours per week if hired before August 1, 2003, or twenty hours per week if hired on or after August 1, 2003 ~~and at less than twenty weeks each year or less than five months per year. (This also includes graduate assistants and student employees whose employment is incidental to their student status).~~ Policies and benefits included in this manual shall not apply to temporary employees except as noted. Individuals should be paid on an hourly basis. Timeslip pay periods will correspond to the regular semi-monthly pay periods which start on the first day of the month to the 15th of the month, and the 16th day of the month to the last day of the month. See Policy 122.1 for payment dates.
 - 1.1 Available to all NDSU departments is an electronic timekeeping system to pay temporary hourly staff. Pay periods and payment dates for departments utilizing this system correspond with the dates stated above in Policy 128.1.
 - 1.2 Contact the Human Resource/Payroll Office to implement electronic timekeeping. Please see the user's manual for instruction for use of the system.
2. Instructions
 - 2.1 Complete Hiring Form: 100 including the funding allocation on the second page. Submit one copy of Form 100 to the Human Resource/Payroll Office on or before the last day of the pay period in which the employee was hired. If a student is employed under work study, use a position number that has work study funding assigned to it.
 - 2.2 Departments enter time for each employee on the Higher Ed Time Entry screen at the end of each pay period when specified by the payroll calendar.
 - 2.3 Time not entered by the departments within the specified pay period will not be included in that pay period's payroll. The department must then fill out and submit to the Human Resource/Payroll office a late timeslip that will then be paid on the next regularly scheduled payday.

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- 2.4 Hours worked are to be entered as follows. Fractional hours must be expressed in "tenths". Round time to the nearest "six minute interval" as follows:

00-06 minutes worked = .1
07-12 minutes worked = .2
13-18 minutes worked = .3
19-24 minutes worked = .4
25-30 minutes worked = .5
31-36 minutes worked = .6
37-42 minutes worked = .7
43-48 minutes worked = .8
49-54 minutes worked = .9
55-60 minutes worked = 1.0

- 2.5 Departments cannot enter two different regular hourly rates of pay on the same position number for the same employee. Utilize a second Hiring Form 100 to submit to the Human Resource/Payroll office and assign a second pool position number for the second hourly rate. Enter hours worked for each position number separately on the Higher Ed Time Entry screen.

2.5.1 NDSU as a whole is considered as the employer for overtime purposes. If a temporary employee works more than 40 hours in one week, whether in one department or multiple departments, those hours are subject to overtime payment.

- 2.6 Students are exempt from FICA withholding when enrolled and regularly attending classes at the university where employed. The IRS uses the 12/20 rule as a standard to determine the qualifications for exemption. Under this guideline, students must be enrolled for 12 credit hours per semester and working an average of 20 or fewer hours per week. The 12/20 rule is used on a prorated basis for students enrolled between 6 and 12 credit hours per semester. An example of this proration is that a student enrolled for 9 credit hours should not work more than an average of 15 hours per week. Persons enrolled for less than 6 undergraduate credit hours are not exempt from FICA withholding.

- 2.7 Where students are employed under the work-study program and have been hired into a position number that has work study funding assigned to it, hours must be entered on the Higher Ed Time Entry screen. In the "Other Earn Code" box, enter H14, and enter the hours in the "Other Hours" column. When this is done, the Actuals Distribution process will charge 25 percent matching to the fund specified on the Hiring form 100 and 75 percent to the work-study fund.

- 2.8 Salary payments to nine, ten and eleven month personnel performing services during summer school or who have summer salary must be made by use of the Change Form 101. Fill in the summer payment information at the bottom of the second page of the form.

Since summer salaries for faculty from summer school and grant funds may be subject to retirement, all fund sources will be subject to the matching requirement. Please note "Pay Retirement Benefits" in the Remarks section on the second page of the form.

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All faculty summer payments must be approved by the Office of the Provost and Vice President for Academic Affairs before being processed by the Human Resource/Payroll Office.

~~3.~~ 3. Timeslip employee raises are at the discretion of the department if the new hourly wage is \$13.00 per hour or less. Department heads should be sensitive to the wage rates and amount of raises the regular staff are receiving in relation to the temporary staff.

4. Prior approval from the Office of Human Resources/Payroll is required prior to assigning more than \$13.00 per hour compensation. These employees should possess unique skills and experience required for a specific job. Skills and experience possessed, responsibility level, accountability, supervision required and complexity of tasks will be used to determine rate of pay.

~~5.~~ Temporary job codes are based on student or timeslip categories and the work performed:

Student job codes: http://sits.ndus.edu/broadbanding/descriptors/8000_band/

8800	Student General	Office & library workers, ITS
8805	Student Medical Clinic*	All employees in a Medical Clinic setting
8806	Student Medical Hospital	Hospital workers
8810	Student Aviation - Ground Crew	Aviation ground crew
8811	Student Aviation - Flying	Aviation flying operations
8815	Student Wellness & Entertainment Facilities*	All employees in Auditorium, Theatre, Wellness Ctr. (excluding Daycare)
8816	Student Broadcasting	Radio, TV employees
8820	Student Security	Parking, traffic, security, law enforcement
8825	Student Farming - Machinery	Farming & ranching machinery
8826	Student Farming - Non-Machinery	Farming & ranching non-machinery
8827	Student Veterinary Medical	Medical treatment of animal regardless of setting
8830	Student Forest Nursery	Working with plants (excluding lawn maintenance & services)
8835	Student Painting	Painters
8836	Student Plumbing	Plumbers
8837	Student Carpentry	Carpentry and general maintenance
8838	Student Electrician	Electrician

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8839	Student Heating Plant Operator	Heating plant assistant
8845	Student Laboratory	Research testing of samples in a lab setting
8846	Student Non-Agricultural Field Work	Environmentalist
8847	Student Electronics & ITS Hardware	Computer & electronic hardware, installation, maintenance, repair
8848	Student Roofer	Roofers
8850	Student Custodial, Grounds & Maintenance	Building service, janitorial workers, groundskeepers and general maintenance
8855	Student Dining	Food service workers
8856	Student Daycare Workers	Daycare and childcare workers
8860	Student Auto	Automobile repair & maintenance
8865	Student Printing*	All printing operations workers
8870	Student Heavy Equipment Operator/Road Construction	Heavy equipment operators
8871	Student Bus Driver	Bus, van drivers
8872	Student Delivery	Courier, delivery, etc.
8875	Student Warehouse	Warehouse workers i.e., forklift

Timeslip Employee Job Codes: http://sits.ndus.edu/broadbanding/descriptors/9000_band/

9800	Temporary General	Office & library workers, ITS
9805	Temporary Medical Clinic*	All employees in a Medical Clinic setting
9806	Temporary Medical Hospital	Hospital workers
9810	Temporary Aviation - Ground Crew	Aviation ground crew
9811	Temporary Aviation - Flying	Aviation flying operations
9815	Temporary Wellness & Entertainment Facilities*	All employees in Auditorium, Theatre, Wellness Ctr. (excluding Daycare)
9816	Temporary Broadcasting	Radio, TV employees
9820	Temporary Security	Parking, traffic, security, law enforcement
9825	Temporary Farming - Machinery	Farming & ranching machinery
9826	Temporary Farming - Non-Machinery	Farming & ranching non-machinery

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9827	Temporary Veterinary Medical	Medical treatment of animal regardless of setting
9830	Temporary Forest Nursery	Working with plants (excluding lawn maintenance & services)
9835	Temporary Painting	Painters
9836	Temporary Plumbing	Plumbers
9837	Temporary Carpentry	Carpentry and general maintenance
9838	Temporary Electrician	Electrician
9839	Temporary Heating Plant Operator	Heating plant assistant
9845	Temporary Laboratory	Research testing of samples in a lab setting
9846	Temporary Non-Agricultural Field Work	Environmentalist
9847	Temporary Electronics & ITS Hardware	Computer & electronic hardware, installation, maintenance, repair
9848	Temporary Roofer	Roofers
9850	Temporary Custodial, Grounds & Maintenance	Building service, janitorial workers, groundskeepers and general maintenance
9855	Temporary Dining	Food service workers
9856	Daycare Workers	Daycare and childcare workers
9860	Temporary Auto	Automobile repair & maintenance
9865	Temporary Printing*	All printing operations workers
9870	Temporary Heavy Equipment Operator/Road Construction	Heavy equipment operators
9871	Temporary Bus Driver	Bus, van drivers, etc.
9872	Temporary Delivery	Courier, delivery, etc.
9875	Temporary Warehouse	Warehouse workers i.e., forklift

*Composite: all employees in department

~~Timeslip employee raises are at the discretion of the department if the new hourly wage is \$13.00 per hour or less. Department heads should be sensitive to the wage rates and amount of raises the regular staff are receiving in relation to the temporary staff.~~

~~Prior approval from the Office of Human Resources/Payroll is required prior to assigning more than \$13.00 per hour compensation. These employees should possess unique skills and experience required~~

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Attachment 3

Policy [128](#) Version [1](#) [Date092013](#)

~~for a specific job. Skills and experience possessed, responsibility level, accountability, supervision required and complexity of tasks will be used to determine rate of pay.~~

HISTORY:

New	July 1990
Amended	November 1996
Amended	January 1999
Amended	January 2007
Amended	October 2007
Amended	November 2008

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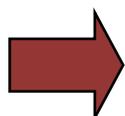
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Attachment 4
Policy 603 Version 1 09/11/13

Policy Change Cover Sheet

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



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

SECTION: **Policy 603 SEXUAL MISCONDUCT AND TITLE IX COMPLIANCE**

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

- Is this a federal or state mandated change? Yes No
- Describe change: A Dear Colleague Letter was issued by the U.S. Department of Education, Office of Civil Rights (OCR) providing OCR's substantive guidance regarding sexual harassment under Title IX of the Higher Education Act of 1972 and clearly taking a focused compliance approach to universities' response to allegations and instances of sexual misconduct and sexual violence on campus. These changes to NDSU Policy 603 reflect application of the OCR's guidance to NDSU policy. The offices of Equity, Diversity and Global Outreach and General Counsel requested that these policy changes be adopted under the interim procedure in NDSU Policy 714.6. The President adopted the changes effective 9/12/13. Copies of the adopted changes were sent to the chief officer of each senate (faculty, staff, student) on 9/11/13 (prior to the effective date). Changes to Policy 603 were so many; a clean copy of the new policy is being submitted rather than one with track-changes.

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

- Submitted by: Vice President of Equity, Diversity and Global Outreach and Title IX Director, Evie Myers and General Counsel
- Date submitted: 9/11/13
- Email address of the person who should be contacted with revisions: Lois.Christianson@nds.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

North Dakota State University Policy Manual

SECTION 603

SEXUAL MISCONDUCT AND TITLE IX COMPLIANCE

SOURCE: NDSU President

1. INTRODUCTION: North Dakota State University (NDSU) strives to create a campus community free from interpersonal abuse including sexual misconduct. In working to achieve this intent, NDSU commits to:
 - a) Taking action to stop sexual misconduct;
 - b) Taking action to remedy its effects by providing advocacy, support and appropriate referral services for recipients of the behavior;
 - c) Taking action to prevent recurrence;
 - d) Educating individuals and promoting discussions on interpersonal abuse and violence; and
 - e) Conducting impartial investigation of all reports/notices of sexual misconduct through fair, equitable and prompt procedures. Investigations will be independent of and separate from law enforcement investigations of criminal activity.
2. POLICY: This policy is required by federal law and implementation of this policy is guided by the U.S. Department of Education, Office of Civil Rights.
 - a) Sexual misconduct is prohibited in all forms, regardless of intent to harm. Sexual assault, sexual exploitation, coercion and sexual harassment are examples of sexual misconduct, and all are prohibited.
 - b) Also prohibited under Title IX is any rule violated on the basis of the recipient of the behavior's sex/gender which is severe enough to cause a discriminatory effect. (Examples of this may include

but are not

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3. DEFINITIONS: For the purpose of this policy, the following definitions apply:

a) Consent is:

1. Words or actions showing a clear, knowing and voluntary agreement to engage in mutually agreed upon sexual act; or
2. An affirmative decision given by clear actions or words.
3. Consent may not be inferred from:
 - i. Silence, passivity, or lack of active resistance alone.
 - ii. A current or previous dating or sexual relationship.

NOTE: It is important to obtain explicit consent from any sexual partner and not to make assumptions. If confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Consent to one form of sexual act does not imply consent to other forms of sexual act(s).

- b) Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- c) Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).
- d) Intimidation is implied threats or acts that cause an unreasonable fear of harm in another.
- e) Responsible employees:
 1. Those with authority to address and remedy sex and gender-based discrimination and harassment;
 2. Those with responsibility to report sexual misconduct to a supervisor; and/or
 3. Those who a student would reasonably believe have such authority or obligation.
- f) Retaliation: Any adverse action taken against a person because of their participation in a protected activity. Retaliation against an individual for alleging sexual misconduct,

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supporting a complainant or for assisting in providing information relevant to a claim of sexual misconduct will be treated as another possible instance of harassment or discrimination. Any acts of alleged retaliation should be reported immediately to the Title IX Coordinator or a Deputy Title IX Coordinator and will be promptly investigated. NDSU is prepared to take appropriate steps to protect individuals who fear that they may have been subjected to retaliation.

- g) Sexual Acts include, but are not limited to the following actions:
1. Sexual intercourse;
 2. Sodomy (oral and/or anal);
 3. Sexual penetration with any object;
 4. Sexual touching of a person's intimate parts (genitalia, groin, breasts, buttocks, mouth or other bodily orifice or the clothing covering them); or
 5. Compelling a person to touch his or her own or another person's intimate parts.
- h) Sexual Assault: Any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:
1. Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;
 2. Use of intoxicants to substantially impair the person's power to give consent;
 3. Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact. This includes, but is not limited to, situations when an individual is intoxicated, "high", scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or
 4. A victim under fifteen (15) years of age. (Do note the age of consent may vary depending on the ages of the individuals involved in the act. For more information see: *a link to the Sexual Assault Prevention Programs location with this information will be provided here.*)
- i) Sexual Exploitation: Taking sexual advantage of another person without consent. Examples include, but are not limited to:
1. Causing the incapacitation of another in order to take sexual advantage of the person;
 2. Distributing or publishing sexual information;

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3. Engaging in indecent exposure;
 4. Engaging in voyeurism (the viewing of another for sexual gratification);
 5. Invasion of sexual privacy;
 6. Knowingly exposing another to an STD or HIV;
 7. Prostituting another person; or
 8. Recording, photographing, or relaying sexual sounds or images.
- j) Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement;
 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual; or
 3. Such conduct has the effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment.
- k) Sexual Misconduct: Any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome that is sufficiently severe, persistent, or pervasive so as to limit a student's ability to participate in or benefit from an NDSU program or activity. Depending on the circumstances, a single incident of sexual misconduct may be sufficient to limit a student's ability to participate in or benefit from an NDSU program or activity.
4. REPORTING/CONFIDENTIALITY: Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. If criminal activity is involved, students are encouraged to contact NDSU Police or your local law enforcement. NDSU employees who became aware of a complaint or violation of this policy and have the authority to take action on the complaint or violation, shall report the complaint or violation either to the Title IX Coordinator or a Deputy Title IX Coordinator:

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Eveadean M. Myers, Vice President for Equity, Diversity and Global Outreach/Title IX Coordinator

Old Main 205

Phone: 701-231-7708

Email: evie.myers@ndsu.edu

Janna Stoskopf, Dean of Student Life/Deputy Title IX Coordinator

Memorial Union 250

Phone: 701-231-8240

Email: janna.stoskopf@ndsu.edu

Colleen Heimstead, Associate Athletics Director for Compliance/Deputy Title IX Coordinator

Bison Sports Arena 102W

Phone: 701-231-5696

Email: colleen.heimstead@ndsu.edu

The guiding principle in accepting reports or sexual misconduct is to avoid re-victimizing the recipient of the behavior by forcing them into any plan of action. NDSU will make every attempt to safeguard the privacy of the complainant and/or recipient of the behavior; however, it is important that complainants recognize that NDSU cannot ensure confidentiality in all cases. NDSU must weigh the request for confidentiality against its obligation to protect the safety and security of the entire campus. Depending on the circumstances of the offense (the severity of the offense, the number of victims involved, etc.), NDSU may be required to respond to an incident, even if confidentiality has been requested. Therefore, NDSU employees cannot guarantee absolute confidentiality. Individuals desiring confidentiality should be encouraged to contact one of the following:

F-M Rape & Abuse Crisis Center: 701-293-7273 (Available 24 hours) www.raccfm.com

NDSU Counseling Center: 701-231-7671 (Available 24 hours)
<http://www.ndsu.edu/counseling/>

5. FORMAL/INFORMAL RESOLUTION: NDSU offers both formal and informal resolution of sexual misconduct complaints involving NDSU students, faculty or staff. Regardless of the path chosen by the recipient of the behavior, NDSU will conduct an impartial, fair, and prompt investigation into the allegations, and ensure that actions will be taken to prevent similar actions in the future. Typically, investigation/resolution of the complaint will occur within 60 days. The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy. Investigation/resolution of the allegations shall include:
 - a) The complainant and the accused having equal opportunities to present relevant witnesses and other evidence;

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- b) Providing both sides with similar and timely access to any information that will be used during the process;
 - c) Equal opportunity to have a support person present, and equal restrictions on how a support person may participate during the process;
 - d) The right of the complainant and the accused to be informed of the outcome of the investigation/resolution, and the right of either party to appeal; and
 - e) The right of the complainant and the accused to receive periodic status updates throughout the investigation/resolution process.
6. FORMAL RESOLUTION: Formal resolution of sexual misconduct complaints will be resolved as follows:
- a) If the alleged perpetrator is a student, the University will follow the procedure outlined in [NDSU Rights and Responsibilities of Community: A Code of Student Behavior](#).
 - b) If the alleged perpetrator is an NDSU employee, the University will follow the applicable policy for the circumstances (e.g. [Policy 156: Equal Opportunity Grievance Procedures](#), [Policy 162: Sexual Harassment](#)).
 - c) All sexual misconduct cases shall use a “preponderance of the evidence” standard; meaning that in order for the accused to be held responsible, the hearing officer must determine that it is more likely than not that the sexual misconduct occurred.
7. INFORMAL RESOLUTION: Except in cases of sexual assault which always require a formal resolution, complainants may choose to pursue informal resolution of their complaint. Informal resolution is entirely voluntary and the complainant may end informal resolution at any time. Complainants should never attempt to resolve the complaint directly with the accused. In cases of informal resolution, the Title IX Coordinator shall assign a school official with the authority to remedy the alleged violation (e.g. Dean of Student Life, the alleged perpetrator’s supervisor, etc.) to oversee the informal resolution process. Informal resolution provides the complainant with a forum to confront the accused; to express how the alleged behavior has impacted them and those close to them; and to communicate to the accused and the University how this behavior needs to be addressed so that they, or anyone else at the University, are not victimized again by the behavior.
- a) In cases where the accused acknowledges their involvement in the sexual misconduct, the school official shall impose an appropriate sanction for the misconduct. If the sanction is agreeable to the parties, the informal resolution is complete, and the sanction is imposed. No appeal is allowed.

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- b) In cases where the accused does not acknowledge responsibility, the school official may impose a sanction warranted by the information gathered during the informal resolution, and any supporting information known to the University. The sanction may be appealed either to the Title IX Coordinator or to the Dean of Student Life/Deputy Title IX Coordinator, who shall have the final decision on the appropriate sanction.

8. ANONYMOUS COMPLAINTS: Anonymous complaints will be accepted by the University. The University's ability to investigate and resolve anonymous complaints will be limited if the information contained in the anonymous complaint cannot be verified by independent facts. Anonymous complaints may be filed by any of the following means:
 - a) Bias Report Form: <https://www.ndsu.edu/biasreport/>
 - b) Dean of Student Life Anonymous Report Form
http://www.ndsu.edu/fileadmin/studentlife/PDF_Files/Anonymous_Report_Form_for_PDF_2.pdf
 - c) Sexual Assault Resources and Advocacy (SARA):
http://www.ndsu.edu/student_life/departments_and_programs/sexual_assault_prevention/get_help_now/

9. INTERIM MEASURES: When warranted by the circumstances surrounding a complaint of sexual misconduct, the University may implement interim measures until its investigation concludes. Violation of these interim measures may be considered grounds for additional complaints of sexual misconduct or as retaliation for the ongoing investigation of sexual misconduct. Potential interim remedies include, but are not limited to:
 - a) Providing an escort to the complainant so that he/she may move safely on campus;
 - b) Issuing a no contact order to the parties, prohibiting any contact between them;
 - c) Moving the complainant and/or accused to different University housing;
 - d) Altering the class schedule of the parties so that they do not attend the same classes;
 - e) Providing counseling services; and
 - f) Providing academic support services.

10. PREVENTION: NDSU considers both physical surroundings and educational programming in addressing prevention of sexual misconduct. The University continually reviews and modifies the physical surroundings to foster security and safety, including but not limited to such factors as emergency phones, lighting, and locking procedures. For further safety information, contact the NDSU University Police and Safety Office: 701-231-8998 (NDSU University Police) 701-231-7759 (Safety Office). NDSU offers curricular and co-curricular educational

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experiences concerning bystander intervention, primary prevention efforts, personal safety, sexual assault, and sexual misconduct. For further information on pertinent campus educational opportunities, contact the NDSU Dean of Student Life Office at (701)231-6560.

http://www.ndsu.edu/student_life/

11. INTERVENTION: The NDSU community actively supports individuals who experience sexual misconduct through a coordinated response system that attends to their physical and emotional well-being. NDSU disciplinary efforts respect the personal rights of all parties. For further information, see NDSU Rights and Responsibilities of Community: A Code of Student Behavior and NDSU Calendar Handbook distributed by Residence Life. All reports/notices of sexual assault and sexual misconduct are handled in a manner designed to respect the privacy of the involved individuals, to the extent permitted by law. Incidents are reported to appropriate Departments and agencies in consideration of safety concerns and investigative needs. In addition, NDSU publishes and disseminates annual statistics on incidents of sexual assault in the annual Personal Safety and Security publication (available in printed and online form). http://www.ndsu.edu/police_safety/police/annualecurityreport/
12. FALSE COMPLAINTS: Knowingly submitting a false report of sexual misconduct is prohibited. Anyone submitting a false report is subject to disciplinary action.
13. FOR MORE INFORMATION on sexual assault and sexual assault prevention programs, please contact the NDSU sexual assault advocate at ndsu.sa-advocate@ndsu.edu.

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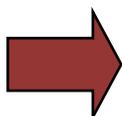
Attachment 5

Policy 721 Version FINAL 09/17/13

Policy Change Cover Sheet

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

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



SECTION: 721: Campus Emergency Notification Systems (CENS)

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandated change? Yes No
 - Describe change: SBHE Policy 1902 was changed in January 2013 to change that a student is 'not required to participate' to a student 'must participate', under section 3
2. **This policy was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: University Police & Safety Office originated in February 2009 with this revision requested in August 2013 to comply with the SBHE policy
 - Email address of the person who should be contacted with revisions: ray.boyer@ndsu.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 9/17/13

Faculty Senate: Information – 9/17/13

Staff Senate: Information – 9/17/13

Student Government: Information – 9/17/13

President's Council: Information – 9/17/13

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

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SECTION 721 CAMPUS EMERGENCY NOTIFICATION SYSTEMS (CENS)

SOURCE: NDSU President
SBHE Policy Manual 1902
NDUS Procedures 1902
Higher Education Act

1. Effective with the beginning of the fall 2008 semester, each institution and the NDUS office shall have in place an emergency notification system. An "emergency notification system" means a system established for the purpose of and dedicated to enabling institution or system officials to quickly contact or send messages to employees and students in event of an emergency. An "emergency" means a situation that poses an immediate threat to the health or safety of someone in the institution or system community or significantly disrupts institution or system programs and activities.
 - 1.1 Beginning with the fall 2008 semester, the system office and all institutions shall subscribe to the NotiFind emergency notification system, in partnership with OMB Risk Management Division and other state agencies. Thereafter, the system office and NDUS institutions shall continue to participate in NotiFind or other single, uniform system for all institutions, approved by the NDUS CIO. The NDUS CIO shall approved all NDUS or institution contracts for emergency notification systems.
 - 1.2 Implementing procedures shall, as mandated by the 2008 amendments to the Higher Education Act, provide for activation of an emergency notification system to "immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving the immediate threat to the health or safety of students or staff occurring on the campus, unless issuing a notification will compromise efforts to contain the emergency."
2. All NDUS employees must participate in the emergency notification system. Participation means employees shall submit emergency notification information and update that information as provided in the institution's or system's emergency notification system policy and procedures.
 - 2.1 *All NDSU employees, including graduate and undergraduate student employees, must participate in the emergency notification system. Employees shall submit emergency notification information and update that information as requested by the university or as employees become aware of changes in their personal information. This verification process will be completed in PeopleSoft/Oracle in a manner established by ConnectND.*

~~3. Students other than student employees, although not required to participate, shall be notified of their opportunity to participate in the emergency notification system and~~

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~~encouraged to do so during registration or as otherwise provided under an institution's emergency notification system policy or procedures. All student employees, including undergraduate and graduate student employees, must participate in the emergency notification system.~~

3. All Students must participate in the emergency notification system and are required to do so during registration or as otherwise provided under an institution's emergency notification system policy or procedure.

3.1 *Participation means students shall submit emergency notification information and update that information as requested by the university or as students become aware of changes in their personal information. **At a minimum**, verification date should occur at least once a semester to assist in having the most current information available during the emergency notification process.*

4. Employee emergency notification telephone numbers or other emergency notification information is exempt from the state's open records laws as provided in [SBHE Policy 1912.4](#) and may be released only as provided in that policy. Student emergency notification information, or contact information such as phone numbers or email addresses submitted for purposes of participation in an emergency notification system, shall be excluded from directory information and is, therefore, confidential as provided under the Family Educational Rights and Privacy Act (FERPA). However, if a student phone number or email or other address submitted for the purpose of participation in an emergency notification system is also contained in other institution records used for other purposes, the information contained in the other institution records is directory information and not confidential, unless a student has exercised the student's right to refuse to permit disclosure of directory information.

5. Emergency notification systems must be tested periodically and at least once during each semester.

5.1 *The University Police & Safety Office will be responsible for the testing of the CENS on a monthly basis, which will be the first Wednesday of each month at 2:00 p.m. Central Standard Time.*

6. *The only personnel authorized to **approve** an emergency message are the NDSU President, members of the President's Cabinet, the Director of University Police & Safety Office (UP&SO) or a designated representative(s) of these officials.*

6.1 *The designated representative(s) must be identified in writing to the UP&SO by the appropriate authorized personnel listed in section 6 above.*

6.2 *When an emergency notification message is authorized, it becomes the responsibility of the office or department originating the message to provide any follow-up and/or end of emergency messages for release. It is also the responsibility of the originating office or department to coordinate any media contact through University Relations at the time of the notification and/or during the emergency, unless an otherwise designated media protocol is established as part of the NDSU Crisis Management Response Team plan.*

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7. *Emergency notification messages may only be transmitted through the UP&SO Communications Call Center, which operates on a 24/7 basis.*
 - 7.1 *An emergency notification message must receive authorization from a person listed in section 6 above.*
 - 7.2 *The Communications Call Center operator will give priority to the transmission of the emergency notification message and utilize the NDSU Campus Emergency Notification System (CENS).*
 - 7.3 *Communication Call Center operators will document the receipt and transmission of all emergency notification messages.*
8. *Instructors will be permitted to require students to turn cell phones off in class only if the instructor has a registered cell phone or other phone or means of receiving emergency messages in use at all times students are required to turn their cell phones off.*
 - 8.1 *Instructors may not require students' cell phones to be turned off in class, unless the instructor has a cell phone registered within the NDSU CENS, in use and on his/her person during class or another phone or means of receiving NDSU CENS notices is available in the classroom.*
9. *To report an emergency, call 911 for ambulances/fire/police/sheriff. When calling remain on the line, give location and describe the emergency.*
 - 9.1 *Employees and students should become familiar with evacuation and shelter-in-place procedures and guidelines in the **Annual Security Report** available in hard copy from UP&SO or on-line at the [University Police website](#).*

HISTORY:

New February 9, 2009
Housekeeping October 10, 2012

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PROPOSED CHANGES TO NDSU ACADEMIC STANDING

Presented to Academic Affairs and Academic Standards Committees (October 2013)

Rationale:

- To raise the academic bar for students, particularly in the first two years
- To align with and better support future increased admission standards
- To align more closely with federal regulations for financial aid eligibility
- To minimize the number of semesters new students can enroll consecutively while academically deficient (giving deficient new students two rather than three semesters before suspension; reducing the number of mid-year suspensions)
- To provide more latitude and extended opportunity to students with CGPA deficiencies, but who are making positive semester progress, even if through a part-time load.

Minimum GPA for Good Academic Standing

To be eligible to register continuously without conditions, an undergraduate student must maintain good academic standing, which is defined as a minimum cumulative institutional grade point average of 2.00 (4.00 scale). ~~The following scholastic standards, relative to completed credits and institutional grade point average, determine a student's academic standing:~~

Minimum GPA	Completed Credits
1.75 (freshman)	0–26
1.90 (sophomore)	27–59
2.00 (junior & senior)	60 or more

Some programs of study have academic standards higher than the university minimum. Students should consult with their adviser or academic department for program specific requirements.

Academic Warning

An academic warning is to alert a student that his/her ~~the semester term~~ GPA ~~for the most recent term was~~ is below the minimum required for good standing, ~~but even though~~ the institutional cumulative GPA is at or above 2.00 ~~for the student's classification~~. An academic warning does not appear on the official academic transcript, but does appear on the unofficial transcript. Students are notified of their academic warning status via official NDSU email. ~~An academic warning is issued for the following:~~

- ~~1. A freshman whose institutional GPA is less than 1.75 upon the completion of the first term of residence at NDSU.~~
- ~~2. A student who transferred in good standing whose institutional GPA is deficient upon completion of the first term of residence at NDSU.~~

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- ~~3. A student who has been in residence two or more terms and has an acceptable institutional GPA, but whose semester GPA is deficient.~~

Academic Probation

An academic probation is issued when a student who entered the grading period on good standing or academic warning earns an institutional a formal warning that a student's cumulative institutional GPA is below the minimum standards (2.00) for good standing the student's classification. Students placed on academic probation may not enroll for no in more than 16 credits for the following semester (or 12 credits for the following summer session) without permission of the student's academic adviser. college dean. An academic probation does not appear on the student's official academic transcript, but does appear on the unofficial transcript (fall 2005 and later). An adviser hold ~~will be~~ is placed on the student's record, and may only be removed after the student has met with his/her adviser. Students are notified of their academic probation status via official NDSU email and letter sent to the '**Home**' address as listed in Campus Connection.

~~Academic probation is issued for the following:~~

- ~~1. A student who entered the grading period in good standing and has been in residence two or more terms, but whose institutional GPA is deficient for the student's classification.~~
- ~~2. A student who entered the grading period on academic warning and whose institutional GPA is deficient for the student's classification.~~

Continued Probation

Continued probation is a formal extension of the ~~initial~~ academic probation status. ~~and is issued when the institutional GPA is still below minimum, but adequate progress is made by attaining the minimum GPA for the term for student classification.~~ It is issued when a student enters the grading period on academic probation or continued probation, shows adequate progress by attaining a minimum term GPA of 2.00, but his/her cumulative institutional GPA is still below the minimum 2.00 for good standing.

Students placed on continued ~~academic~~ probation may enroll in for no more than 16 credits for the following semester (or 12 credits for the following summer session) without permission of the student's academic adviser. college dean. Continued probation does not appear on the student's official academic transcript but does appear on the unofficial transcript. (fall 2005 and later). An adviser hold ~~will be~~ is placed on the student's record, and may only be removed after the student has met with his/her adviser. Students are notified of their continued probation status via official NDSU email and letter sent to the '**Home**' address as listed in Campus Connection.

~~Continued probation may be issued for the following:~~

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- ~~• A student who enters the grading period on academic probation and whose cumulative institutional GPA is still deficient for the student's classification, but the semester GPA is at or above the minimum. A continuance may be granted to a maximum of three (3) consecutive probationary terms.~~

Academic Suspension

Academic suspension is issued when the academically deficient student does not demonstrate an improvement in his or her institutional cumulative GPA at the close of the semester. ~~Registration for the following full semester or for summer courses that do not begin prior to the start of the standard eight week session will be canceled.~~ A student may not be considered for readmission for two grading periods following an academic suspension (includes summer). An academic suspension appears on the student's official academic transcript.

~~Academic suspension will be is issued after two or more terms in residence for the following: A when a student who entered the grading period on either probation or continued probation whose earns both a semester term GPA and cumulative institutional GPA are both below the minimum 2.00 for good standing, deficient for the student's classification. This includes students admitted on probation for their first semester at NDSU or readmitted on probation following an academic suspension.~~

- ~~1. A student who entered the grading period for a third consecutive probationary term and whose institutional GPA is still deficient for the student's classification.~~

Students who are suspended are notified of their suspension status via official NDSU email and letter sent to the 'Home' address as listed in Campus Connection.

Suspension Appeals

A student who has been suspended may appeal the suspension if there were extraordinary circumstances beyond his/her control and if supporting documentation is provided. An [Appeal for Exception to Academic Suspension form](#) is available online and must be submitted to the [Office of Registration and Records](#) no later than ~~one week~~ 10 business days prior to the semester start date (or the first day of the standard 8-week summer courses) following the imposition of suspension. If approved, the student ~~has one semester to raise their cumulative GPA to minimum academic standards for their classification~~ must make satisfactory academic progress in subsequent terms according to the academic standards of the University (see above).

Suspended Students

NDSU honors suspensions of other institutions. ~~Further, students suspended from NDSU or any other institution may not transfer coursework into NDSU that was completed during the suspension period unless prior approval, through an appeal process, has been granted.~~ Transfer and returning students who have been suspended from another institution may not be considered for admission or readmission until one year has lapsed or the suspension has been lifted. ~~Failure~~

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Attachment 6

Students who fail to report all previous college work are subject to dismissal or loss of credit or both. Courses previously completed at NDSU may only be repeated at NDSU, with the exception of Tri-College courses (see [Repeated Courses](#) section for more details).

Readmission

To be considered for readmission, suspended students must sit out for at least two grading periods (includes summer) and file a [Reactivation/Petition for Readmission form](#) to the [Office of Registration and Records](#) at least 30 days prior to the beginning of the semester in which readmission is sought. If the petition is approved by the Committee on Academic Standards, the student may register, but will be readmitted on probation. Students who have been enrolled in courses at another institution since leaving NDSU must arrange for an official transcript to be sent to the [Office of Registration and Records](#) before readmission will be considered. ~~However, courses/grades earned from another institution during the two-semester suspension period will not be considered for transfer unless prior approval is granted through an appeals process.~~

Suggestions, questions or concerns may be directed to:

Kristi Wold-McCormick, Registrar
231-7989, k.wold-mccormick@ndsu.edu

RaNelle Ingalls, Associate Registrar
231-7745, Ranelle.ingalls@ndsu.edu

Proposed Changes: Graduation Honors Qualifications

Proposed changes to Graduation with Honor policy:

Graduation with honor applies only to the baccalaureate and Pharm.D. degrees. Graduate students are not included in the computation.—Candidates who entered NDSU as freshmen and have earned a minimum of 60 credits in residence at NDSU and who have earned a minimum institutional grade point average of 3.50 will graduate with honor. Candidates with transfer credits must meet the minimum institutional grade point average of 3.50 for all credits earned at NDSU, as well as a cumulative grade point average of 3.50 for all credits earned including those from transfer work. All final grades and all attempts of repeated courses on the NDSU academic record will be included in grade point average calculations for graduating with honor. Students who meet the above academic criteria will graduate according to one of the following honor levels:

- *Cum Laude – equal to or greater than 3.50 and less than 3.70*
- *Magna Cum Laude – equal to or greater than 3.70 and less than 3.90*
- *Summa Cum Laude – equal to or greater than 3.90*

Impact of Proposed Changes:

- Remove transfer credits from the cumulative GPA calculation for Graduation with Honor
- Remove prior attempts of repeated courses from cumulative GPA calculation for Graduation with Honor
- Require a minimum of 60 credits to be earned in residence at NDSU to qualify for Graduation with Honor (Current residency policy states that last 30 credits must be earned in residence to earn a degree from NDSU. For transfer students, 36 credits must be NDSU resident credits and 60 credits must be earned from a four-year institution)

Rationale

- Transfer grades are not computed in the NDSU cumulative GPA, which serves as the academic basis for most institutional academic policies.
- Manual calculations of transferable coursework introduce a risk of human error, especially when converting quarter to semester hours, considering transfer repeat attempts, using various grading scales in calculations (i.e., international transfer credit), removing non-degree credit honor points from totals (ie: remedial), etc.
- Approximately 50% of NDSU students have prior credit accepted in transfer to NDSU (includes transfers and freshmen with PSEO/dual credit). The volume of manual recalculations is large and time-intensive with more than 2,000 undergraduate candidates for graduation each academic year.

Benefits and Drawbacks

The benefits for consideration:

- NDSU would consistently apply its institutional cumulative GPA to all academic policies and processes.
- Honor status would be achieved from course work performed only at NDSU.
- Reduces the risk of human error in determining 'with honor' status.
- NDSU's GPA would be applied at a face value without manual recalculation of repeat attempts.
- The NDSU GPA displayed on the record would match the graduation honors policy.

The drawbacks for consideration:

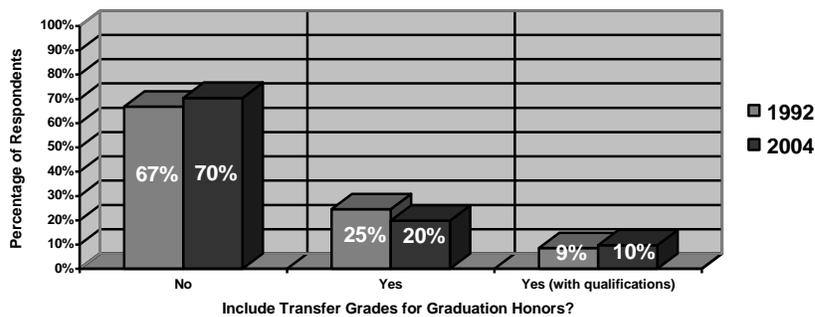
- The 'with honor' status would no longer include the cumulative GPA of all course work a student has completed throughout their undergraduate career (transfer and NDSU).
- Transfer students who need fewer than 60 credits (but at least 36, per residency policy) to earn a NDSU degree would not be eligible to graduate with honors.

Implementation Timeline

If approved, the proposed implementation of the policy change is Fall 2014.

National Trend: AACRAO. (2004). Current Trends in Grades & Grading Practices in Higher Education (Results of the 2004 AACRAO Survey). Washington, DC: Cody Brumfield

Do you include transfer grades when calculating the grade average that determines graduation honors?



Peer Review

The following are how our peer institutions apply transfer grades, repeat attempts and residency for graduation honors:

Institution	Residency Requirement for Graduation	Explanation
MN State University Moorhead	60	Repeats are counted if a course is attempted more than 2x's.
University of MN -Twin Cites	60	Varies between academic colleges
Utah State	40	Varies between academic colleges
Kansas State	60	
Clemson	37 of the last 43 credits	Student may repeat "D" & "F" grades only to a total of 9 hours.
Oregon State University	45 of the last 75 credits	
New Mexico/Main Campus	60	Discretion of the department
University of Arkansas/Fayetteville	1/2 of degree at U of A.	
University of Wyoming	48	
University of Alaska/Fairbanks	48	
South Dakota State University	64	All repeats are included unless the student informs the Registrars Office to remove previous attempts.
University of North Dakota	30	

*Repeat policies vary greatly among institutions. Variations include limiting the number of repeat attempts, to whether the retake or the highest grade gets calculated in cumulative totals, to limiting repeats to only courses in which certain grades were earned.

Library Committee Report for Faculty Senate Meeting of 18 Nov. 2014

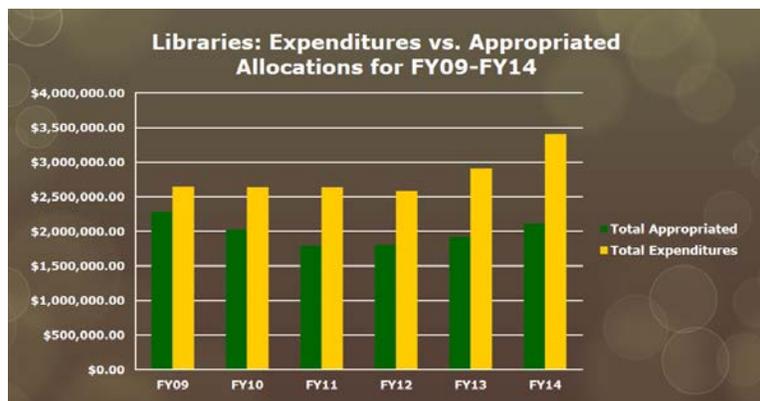
The Faculty Senate Library Committee last met on 7 Nov. 2014. The Committee was presented with an update of the library's financial status, as follows:

	FY09	FY10	FY11	FY12	FY13	FY14
Budget Rec'd:						
Total Appropriated	2,286,008.44	2,026,869.83	1,792,618.54	1,804,281.90	1,927,298.85	2,108,081.00
18815- Student Library Fee	239,718.55	256,163.72	517,889.88	515,773.65	515,378.55	1,030,757.10
All Supplemental	138,000.00	460,643.00	500,000.00	200,000.00	419,011.65	247,797.91
D.F. Funding	7,412.36	16,151.32	5,128.76	26,447.21	54,184.24	54,195.00
Total Rec'd \$	2,671,139.35	2,759,827.87	2,815,637.18	2,546,502.76	2,915,873.29	3,440,831.01
Expenditures:						
Material	2,387,383.26	2,381,410.68	2,496,829.29	2,433,571.06	2,657,799.79	3,160,687.68
Operating	259,496.61	257,037.78	140,197.93	144,516.19	254,320.00	273,705.00
Total Expenditure	\$2,646,879.87	\$2,638,448.46	\$2,637,027.22	\$2,578,087.25	\$2,912,119.79	\$3,434,392.68
Net Remaining/Deficit	\$24,259.48	\$121,379.41	\$178,609.96	-\$31,584.49	\$3,753.50	\$6,438.33

The above table shows an increase of nearly 18% in total expenditures for FY2014 over FY2013. This increase is accounted for by several revenue streams:

1. a doubling of the student library fee to \$1.03M
2. an increase of \$180K in appropriated funds, which includes a 13% increase to restore funds removed as part of the recent austerity cuts and \$75K of Roadmap funding from the \$3.2M/annum equity funding received by the University for this biennium.

These funds are being used to purchase new electronic subscriptions that will begin appearing ca. 1 Jan. 2014.



Respectfully submitted by Kenton Rodgers
Member, Senate Library Committee

Faculty Senate Minutes

Resolution

Whereas, NDSU is committed to improving the climate for women and other diverse groups, and

Whereas, the equitable representation of women and other diverse groups in the STEM disciplines has been a documented challenge and promoting such diversity is of particular interest to the NDSU community, and

Whereas, the presence and availability of lactation rooms helps to promote a positive work-life balance for women faculty, staff, and students at NDSU, and

Whereas, there is a severe shortage and documented need for lactation rooms on the NDSU campus to support women faculty, staff, and students, and

Whereas, NDSU recently added “gender identity and expression” to our nondiscrimination policy in an effort to be a more fully inclusive campus, and

Whereas, the presence and availability of single stall/gender neutral/family restrooms has a positive impact on the well-being of both transgender faculty, staff and students as well as families, and

Whereas, there is a severe shortage and documented need for single stall/ gender neutral/family restrooms on the NDSU campus,

Whereas, NDSU is in the final stages of planning the new STEM classroom building, and

Whereas, the STEM classroom building will be the first new academic building constructed on the NDSU campus in twenty years, and

Whereas, NDSU has the opportunity to demonstrate our commitment to improving the climate for women and diverse groups in the construction of the STEM classroom building,

Be it resolved that the Faculty Senate at NDSU insists that a lactation room and single stall/gender neutral/family restrooms be included in the final design and construction of the STEM classroom building.

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North Dakota State University

December 9, 2013

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, T. Barrett, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, S. Duffield, M. Engler, J. Gao, E. Gillam, G. Gramig, R. Green, T. Hall, J. Harmon, C. Hawley, E. Hilliard, F. Huseynov, X. Jia, B. Johnson, J. Jones, W. Lin, T. Lundeen, L. Manikowske, C. Platt, B. Pruess, S. Rahman, L. Reynolds, S. Sather-Wagstaff, G. Shen, B. Suzen, R. Sylvester, A. Tangpong, L. Thomas, E. Wu, and N. Yu, P. Zhao

Substitutions – J. Dorfmeister for F. Littmann, S. Dekeyser for C. Hargiss, L. Bladow for A. Denton, and M. Bauer for K. Carlin

I. Approval of Minutes

MOTION (Sather-Wagstaff/Green): to approve the minutes of November 18, 2013, meeting as posted. MOTION CARRIED WITH UNANIMOUS CONSENT

II. Consent Agenda

- Academic Affairs Report ([Attachment 1](#))

MOTION (Sather-Wagstaff/Hawley): to approve the Academic Affairs report as posted. MOTION CARRIED WITH UNANIMOUS CONSENT

III. General Announcements

a. NDSU President

President D. Bresciani provided the following updates:

- *Sanford Health Nursing Program* - NDSU is currently in negotiations with Sanford Health for the acquisition of the Bismarck-based nursing program. The future of health care needs within the state, especially in the Western part of the state, is a concern. Sanford is interested in partnering with NDSU to meet this nursing need. The acquisition and subsequent expansion of NDSU's nursing program is attuned to the land grant mission. A MOU has been developed to merge the two programs.
- *Unmanned Aircraft Systems (UAS)* – NDSU is continuing the pursuit of being one of the test sites for the UAS Aerospace program, along with UND. It is optimistic that North Dakota will be a host site for UAS testing.
- *Research Productivity* – The National Science Foundation reported that NDSU has maintained its research productivity despite national drops.
- *Economic Development Conference* – The Economic Development Conference is scheduled for December 13. Business and civic leaders will discuss the need to graduate more college students to support the development in North Dakota. Many non-resident students remain in ND to take jobs and contribute back to the economic productivity of the state. A focus will be on how to encourage larger enrollments at ND institutions along with the creation of job development within the state. The ND Governor and Commerce Commissioner will be in attendance at the conference.

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- *Tuition Rates* – Administration is working on a program that will bring more balance to tuition rates from states proximal to NDSU. NDSU is examining its relationships with these states and is working to balance tuition rates for students from South Dakota to be in line with in-state and Minnesota tuition.
- A new arrangement was made with the Alumni Association/Development Foundation to offer meeting rooms in the Alumni Center at no charge for faculty and staff events.

IV. Announcements

Provost J. B. Rafert made the following announcements:

- *Tuition/Fees* - The ND University System has reactivated the task force to review tuition/fees.
- *HLC* - Policies and accreditation information are being sent to college deans for review.
- *Policy Review* – Currently reviewing policy 310: Base Salary.
- *Ombudsperson Search* – The ombudsperson search is underway and candidates will be brought to campus this spring.
- *PT&E Update* – There are currently 48 dossiers in the PT&E queue for review.
- *Nursing program* – The high quality program offered by Sanford will continue after the acquisition of the Sanford Health's nursing program in Bismarck.
- *Research Funds* - \$135.5 M for FY12 is a \$10 M dollar increase over the previous year.

V. Vice President of Student Body

Student Body VP E. Diederich reported the following:

- *NDSU Policies* – The following policies were passed unanimously by students at the last Student Senate: 331.1: Course Syllabus, 333: Class Attendance and 336: Examinations and Grading.
- *Spring Blast* – This event is being revamped to include a large concert each year.
- *Water bottle fillers* – Three locations will be available on campus – Barry Hall, Minard Hall and the Wellness Center.
- *Suicide Prevention* – Twenty-six individuals were funded for suicide prevention training.
- *Aquatic Center* – The proposed aquatic center will have single stall bathrooms per the request of the Faculty Senate.
- *Health Insurance* – There has been a negative response from students to the health insurance rates; students have reported that rates have almost doubled switching from Blue Cross/Blue Shield to United Health Care.
- *Academic Advising* - Dr. Peterson made a presentation to Student Senate on academic advising. Students are supportive of any efforts to improve the activity of academic advising on campus.

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VI. Senate Committee Reports

a. *Academic Affairs* –

D. Wiesenborn outlined the changes being proposed for policy 331.1: Course Syllabus and 333: Class Attendance. Policy 331.1 includes updated language on graduate level expectation of courses that are cross-listed with undergraduate courses. Both policies introduce new language to encourage better communication between faculty and students on class expectations, attendance and make-up work. (*See Senate Coordinating Council for voting results.*)

b. *General Education/Accreditation* –

L. Peterson reported the following:

- i. As part of the HLC Federal Compliance review, the NDSU accreditation team will be seeking a representative random sample of course syllabi. All departments are asked to keep copies of syllabi on file so this sample may be easily obtained.
- ii. The HLC also is concerned with special delivery courses and the total number of contact hours for these types of courses.
- iii. CULE is close to presenting a model for the new general education program. Campus feedback sessions will be held in January to obtain information on the model and what is best for our students as we prepare them for the future.

c. *Senate Coordinating Council* –

H. Hatterman-Valenti presented the following policy changes for discussion and vote:

- i. Policy 352 – Promotion, Tenure, and Evaluation ([Attachment 2](#))

MOTION (Sather-Wagstaff/Green): to approve the policy changes as presented. A question was raised as to how the changes in policy relate to the policies in place at the time a person was hired. It was clarified that the University policy applies to everyone upon the effective date of the policy change, but that departmental policies regarding PT&E also may directly impact an individual. The University policy is more general and departments can adopt more stringent policies or guidelines. A concern was expressed that a change in policy also would change the forms. It was determined that forms are procedural and may be changed or updated based on policy changes. MOTION CARRIED WITH UNANIMOUS CONSENT

- ii. Policy 331.1 – Course Syllabus ([Attachment 3](#))

MOTION (Sather-Wagstaff/Hall): to approve the policy changes as presented.
MOTION CARRIED WITH UNANIMOUS CONSENT

Faculty Senate Minutes

iii. Policy 333 – Class Attendance ([Attachment 4](#))

MOTION (Sather-Wagstaff/Huseynov): to approve the policy changes as presented.
MOTION CARRIED WITH UNANIMOUS CONSENT

iv. Policy 336 = Examinations and Grading ([Attachment 5](#))

MOTION (Sather-Wagstaff/Jia): to approve the policy changes as presented.

Bauer, on behalf of Dr. Slanger, reported that Institutional Research found mid-term grades did not make a difference to the end-of-term outcome for grade improvement and this was consistent with results reported from other institutions of higher education. Bauer stated that according to Slanger, for grading to have an impact, courses would need to be graded by week two or three of the term.

Benson reported that faculty in her department were not in favor of mid-term grading as it creates redundancy since faculty are already entering grades into Blackboard where students have access to that information. Reynolds made a statement suggesting that entering mid-term grades is worth considering as it helps students to know how they are doing in classes and it identifies the students that are struggling. Duffield reported the faculty members within her department do not see mid-term grading as a burden and that students would benefit. Another comment suggested that mid-term grading is more for traditional class grading formats but does not benefit all formats of grading and the example of grading contracts was given.

K. McCaul, representing professional advisors from campus, spoke out in support of mid-term grading suggesting that advisors are an important component in the process. He clarified only students receiving grades of D/F would need to be entered, combating the argument that a large lecture class would take time to grade. Hawley felt that as often as mid-term grades could inform they could also misinform since the majority of grading in courses comes after midterm. Based on this statement, Hatterman-Valenti stated this could call into question the research conducted by IR. Hatterman-Valenti also added that, as an advisor, it is only when mid-term grades become available is she aware of her advisees who are struggling. Eggers, professional advisor for HD&E, commented that receiving the mid-term data provides an opportunity for intervention with students and an attempt to make a difference in retaining that student.

Sather-Wagstaff suggested an amendment to the policy language to read more like the pilot to encourage grading with some type of intervention by advisors. Diederich, VP of the student body, stated that the students recently had a similar conversation about mid-term grading and the conclusion from students was that it cannot hurt to provide this information to students.

MOTION TO AMEND (Benson/Shen): to change the proposed language in the second sentence of the Mid-Term Grades section of Policy 336 as follows, “Instructors ~~shall~~ are encouraged to enter...” MOTION TO AMEND CARRIED on a vote of 27-6-1. The following senators or their substitutes voted aye: Akyuz, Barrett, Benson, Burghaus, Gao, Gillam, Hall, Hargiss, Harmon, Hilliard, Huseynov,

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Jia, Johnson, Jones, Lin, Littman, Maddock Carlin, Manikowske, Platt, Rahman, Reynolds, Sather-Wagstaff, Shen, Suzen, Tangpong, Yu, Zhao

The following senators or their substitutes voted no: Duffield, Engler, Gramig, Green, Lundeen, Thomas

The following senators or their substitutes abstained from the vote: Denton

MOTION TO APPROVE POLICY CHANGES AS AMENDED CARRIED on a vote of 29-5-0. The following senators or their substitutes voted aye: Akyuz, Barrett, Benson, Burghaus, Denton, Engler, Gao, Gillam, Hall, Hargiss, Harmon, Hilliard, Huseynov, Jia, Johnson, Jones, Lin, Littman, Manikowske, Platt, Rahman, Reynolds, Sather-Wagstaff, Shen, Suzen, Tangpong, Thomas, Yu, Zhao
The following senators or their substitutes voted no: Duffield, Gramig, Green, Lundeen, Maddock Carlin

VII. Unfinished Business

The provost's presentation on Academic Infrastructure Investments Presentation will be moved to a future meeting.

VIII. Adjournment

The Faculty Senate meeting adjourned at 4:58 p.m.

Submitted,

RaNelle Ingalls, M.S.

Faculty Senate Minutes

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North Dakota State University

December 9, 2013

Attachment 1

Academic Affairs Committee Report

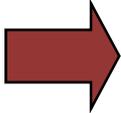
Approved Curricular Recommendations

Exercise Science, Bachelor of Arts								
New Courses								
Subject	No.	Title	Crs.	Effective Term				
CE	782	Introduction to Intelligent Infrastructure	3	Spring 2014				
CJ	310	Women and Policing	3	Spring 2014				
CJ	354	Media, Crime and Justice in America	2	Spring 2014				
CJ	765	Classics in Policing	3	Spring 2014				
ENT	770	Writing a Scientific Literature Review	3	Spring 2014				
HIST	254	The United States in the Long 1960s	3	Spring 2014				
HIST	404/604	Digital History	3	Spring 2014				
HNES	760	Skeletal Muscle Physiology	3	Spring 2014				
Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
ENT	446/646	Plant Resistance to Insects	3	Ent	741	<i>Insect-Plant Interactions</i>	3	Spring 2014
HNES	784	Athletic Training Clinical Experience II	2	HNES	784	<i>Athletic Training Clinical Education II</i>	2	Spring 2014
HNES	785	Athletic Trianing Clinical Experience III	3	HNES	785	<i>Athletic Trianing Clinical Education III</i>	3	Fall 2014
HNES	787	Advanced Therapeutic Modalities	3	HNES	787	<i>Evidence Based Therapeutic Modalities</i>	3	Fall 2014
HNES	789	Athletic Training Clinical Experience IV	2	HNES	789	<i>Athletic Training Clinical Education IV</i>	2	Spring 2014
Change in Prerequisites/Corequisites and Change in Bulletin Descriptions								
Subject	No.	Title	Prerequisite/Corequisite Change					
MICR	350	General Microbiology	Prereq: BIOL 150 and CHEM 122					
MICR	350L	General Microbiology Laboratory	Prereq: BIOL 150 and CHEM 122					
MICR	475	Animal Virology	Prereq: MICR 350 and MICR 470					
New Special Topics (For information only)								
AGEC	499	Advanced Agricultural Lending	3	Spring 2014				
CE	499/696	Environmental Engineering Design	3	Spring 2014				
FIN	499	Using Bloomberg	3	Spring 2014				

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Policy Change Cover Sheet

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



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

SECTION: **352 Promotion, Tenure, and Evaluation**

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change: Changes to Policy 352 are inclusion of 'disability' in tenure-clock extensions; expectation to maintain confidentiality of such requests; timelines for tenure-clock extension requests; and clarification that candidates who receive tenure-clock extensions must not be subject to additional expectations.
 - New forms for processing tenure-clock extension requests/notifications and changes to portfolio cover page and outside letter of evaluation requests are also proposed.
 - Proposed changes were presented in an open forum on 3/22/2013. Specific changes:
2. This policy was originated by (individual, office or committee/organization):
 - Submitted by: Office of the Provost/Provost Rafert (on behalf of and working with FORWARD Women Faculty with Disabilities Task Force chaired by Dean Peterson)
 - Date submitted: 10/21/2013
 - Email address of the person who should be contacted with revisions: canan.bilen.green@ndsuh.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

North Dakota State University Policy Manual

SECTION 352 PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

- 1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.
- 1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University, college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all

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areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.

- 1.3 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

2. UNIVERSITY PROMOTION, TENURE, POST-TENURE, AND EVALUATION: CRITERIA AND EVIDENCE

- 2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience.
- 2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off- campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

2.2.1.1 CRITERIA In the areas of teaching (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:

- 2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;
- 2.2.1.1.2 the continuous improvement of courses or instructional programs;
- 2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.

2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:

- 2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;
- 2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;

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2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;

2.2.1.2.4 the dissemination of best practices in teaching;

2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

2.2.2.1 CRITERIA In the areas of research and creative activities (as defines above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:

2.2.2.1.1 contributions to knowledge, either by discovery or application, resulting from the candidate's research, and/or

2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.

2.2.2.2 EVIDENCE A candidate demonstrates quality of research by providing evidence of completed original work (i.e. published/in press, exhibited, or funded) from multiple sources such as:

2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;

2.2.2.2.2 juried or invited presentations or productions in the theater,
music, or visual arts, design, and architecture;

2.2.2.2.3 the development and public release of new products or varieties, research techniques, copyrights, and patents or other
intellectual property ;

2.2.2.2.4 peer evaluation of research by colleagues from an individual's
discipline or area of expertise;

2.2.2.2.5 the receipt of awards or special recognition for research ;

2.2.2.2.6 the receipt of grants or other competitive awards.

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2.2.3 SERVICE

2.2.3.1 CRITERIA In the areas of service (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure and post-tenure review:

2.2.3.1.1 contributions to the welfare of the department, college, university, or profession, and/or

2.2.3.1.2 contributions to the public that make use of the faculty member's academic or professional expertise.

2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:

2.2.3.2.1 the receipt of awards or special recognition for service;

2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;

2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

2.2.3.2.4. active participation and leadership in University governance and programs at the department, college, university and system levels;

2.2.3.2.5. effective management or improvement of administrative procedures or programs.

2.2.3.2.6 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;

2.2.3.2.7 contributions to the operation of state or federal agencies.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and specific promotion and tenure

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criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

3. COLLEGE AND DEPARTMENTAL PROMOTION, TENURE, POST-TENURE, AND EVALUATION CRITERIA

- 3.1. Each academic unit is responsible for refining the University promotion, tenure, post-tenure, and evaluation criteria and applying those criteria within the special context of the unit. Thus, each academic unit will develop specific promotion, tenure, post-tenure, and evaluation criteria and designate the types of evidence to be used for evaluation of progress toward tenure, for renewal, promotion, and tenure decisions, and for post-tenure review. Within the framework of the University's promotion and tenure criteria, each academic unit shall specify the relative emphasis on teaching, research, and service, and the extent to which a faculty member's assigned responsibilities can be allocated among teaching, research, and service.
- 3.2. A statement of promotion, tenure, post-tenure, and evaluation criteria specific to each college shall be developed by the Promotion, Tenure, and Evaluation (PTE) committee of the college in consultation with the Dean and approved by the faculty of the college. The faculty of each department shall also develop a statement of criteria for promotion, tenure, post-tenure, and evaluation that shall be reviewed and approved by the college PTE committee and the Dean to assure consistency with the college promotion, tenure, post-tenure, and evaluation criteria. The college and departmental statements, and any subsequent changes, shall be reviewed and approved by the Provost/~~Vice President for Academic Affairs (Provost/VPAA)~~ to assure consistency with University and State Board of Higher Education (SBHE) policies.
- 3.3. For probationary faculty, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit which were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured candidates for promotion to professor shall be evaluated by the criteria in effect at the time of application.
- 3.4. Faculty Hired Without Previous, Relevant Experience
For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

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3.5 Faculty Hired with Previous Relevant Experience

A faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original hiring contract. Tenure recommendations and recommendations for appointment at the rank of Associate Professor or Professor for new hires (administrators or faculty with prior experience) are made by the respective Department and the College PTE Committee. The process of review is initiated by the Chair/Head.

There are two options:

3.5.1 Faculty may be given one to three years (maximum allowed) of credit. For example, given one year of credit, promotion and tenure application would be due in the fifth year of service; given three years, the application would be due in the third year of service.

3.5.2 Faculty may be given the full six year probationary period with the option of applying for promotion and/or tenure at any time following three years of academic service.

For either option, failure to achieve tenure will lead to a terminal year contract. Any exceptions to Section 3.5. Must be approved by the President.

3.6 Extension of Probationary Period

At any time during the probationary period but prior to the sixth year (or prior to the year in which the portfolio is due), a faculty member may request an extension of the probationary period not to exceed a total of three years based on institutional, personal or family (pertaining to a child, spouse/partner or parent, as described in NDSU Policy 320) circumstances, personal illness or disability, which, according to reasonable expectations, impede satisfactory progress towards promotion and tenure. Faculty given promotion and tenure credit are also eligible for this extension. Faculty members are encouraged to request probationary period extension as soon as they recognize the need for extension. Written notification to the Provost must be submitted within one year of the beginning of the event for which the extension is requested and approved prior to July 1 of the year in which the tenure/promotion portfolio is due. A faculty member who submits an extension request during the academic year in which they are to undergo third year review must successfully undergo third-year review and renewal before any extension can take effect. The request must be in writing and will be submitted to the reviewed and forwarded sequentially with recommendation by the Chair/Head, Dean, and Provost/VPAA to the President who will review the request and will approve or deny the request. Denial of an extension may be appealed under NDSU Policy 350.4, however, appeals will not be granted for requests that are submitted outside the required timeline for extension.-

3.6.1- Extension of Probationary Period for Childbirth or Adoption

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A probationary faculty member who becomes the parent of a child (or children in case of twins, triplets, etc.) by birth or adoption, prior to the year in which the portfolio is due, will automatically be granted a one-year extension of the probationary period upon written notification to the Provost. Written notification to the Provost/VPAA must be provided by the Department Chair/Head and the Dean of the college within one year of the event and prior to the year in which the portfolio is due. While NDSU supports the use of the extension, the probationary faculty member has the option at any time after the birth or adoption to return to the original schedule of review. Any additional extensions beyond the one year (per birth/adoption occurrence, not to exceed three years total extension) must be requested under the provisions of 3.6 above. ~~Extensions due to childbirth or adoption may not exceed three years. (Granting extensions does not increase expectations for performance.)~~

3.6.2 Extension of Probationary Period for Personal Illness or Disability

A probationary faculty member who experiences a personal illness or disability may request an extension of his/her probationary appointment. Medical documentation of the personal illness or disability is required. Such documentation shall be collected and housed by the Office of Human Resources/Payroll following guidelines provided in NDSU Policy 168. However, the Office of Human Resources/Payroll shall not make recommendations to the Provost pertaining to probationary period extension requests. The faculty member will grant the Provost access to Human Resources records relevant to the request by completing the Authorization for Release of Information http://www.ndsu.edu/fileadmin/generalcounsel/Forms-HIPAA/Authorization_for_Release_of_Information_01.doc. The Provost shall maintain strict confidentiality of such documentation. Written notification of the request for an extension, along with supporting documentation, must be provided to the Provost.

3.6.3 Extension of Probationary Period for Institutional Circumstances

A probationary faculty member may be granted an extension of probationary period due to institutional circumstances, such as major disruption of work or faculty's ability to perform their duties beyond the reasonable control (e.g., natural or human-caused disaster, or lab-space unavailability) of the faculty member. Written notification of the request, along with supporting documentation, for an extension must be provided to the Provost.

3.6.4 Procedures for Initiating, Reviewing, and Approving Notifications/Requests for Extension of the Probationary Period

3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

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- 3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.
- 3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.
- 3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.
- 3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form. (will provide direct link)
- 3.6.4.5 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

Individuals involved in the extension of the probationary period process (which may include the supervisor, the Department Chair/Head, the Dean of the college, the Provost, and/or the Office of Human Resources/Payroll) have the responsibility of keeping information pertaining to the request confidential and not sharing such information with individuals not involved in the process. Medical documentation provided by a faculty member requesting extension of the probationary period shall be maintained in a confidential file separate from the employee's official personnel file in the Office of Human Resources/Payroll. Other written documentation and forms pertaining to the request/notification of extension of the probationary period shall be maintained in a confidential file separate from the employee's official personnel file in the Office of the Provost.

- 3.6.6 Granting of an extension does not increase expectations for performance. For instance if the department requires at least five refereed journal articles in the standard six year probationary period, and a faculty member receives an extension of the probationary period, then the department will still only require at least five refereed journal articles for that faculty member's probationary period.

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Related Policies and Procedures:

Policy 156. Equal Opportunity Grievance Procedures
(<http://www.ndsu.edu/fileadmin/policy/156.pdf>)

Policy 168. Reasonable accommodation on the basis of disability - guidelines for employee requests (<http://www.ndsu.edu/fileadmin/policy/168.pdf>)

Policy 320. Faculty obligations and time requirements
(<http://www.ndsu.edu/fileadmin/policy/320.pdf>).

NDSU HIPAA Security Procedures- see
http://www.ndsu.edu/general_counsel/hipaa/

Authorization for Release of Information:
http://www.ndsu.edu/fileadmin/generalcounsel/Forms-HIPAA/Authorization_for_Release_of_Information_01.doc

~~3.7 Each academic unit shall establish the criteria for promotion and tenure, including early promotion, as part of its statement on promotion, tenure, post-tenure review, and evaluation. 3.7 Each academic unit shall establish the criteria for promotion and tenure, including early promotion, as part of its statement on promotion, tenure, post-tenure review, and evaluation.~~

4. PERIODIC REVIEW

- 4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.
- 4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.
- 4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.
- 4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize

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and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.

- 4.5 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review period. For probationary faculty, the report shall include an assessment of the faculty member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.
- 4.6 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.
- 4.7 The faculty member being reviewed shall have 14 days to respond in writing to the written report if the faculty member wishes to do so. The written report, and any written response from the faculty member, shall become part of the faculty member's official personnel file.

5. COMPOSITION OF PTE COMMITTEES

- 5.1. Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.
- 5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Faculty members being considered for promotion may not serve while under consideration.

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- 5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding administrative appointments, including those with interim status, are not eligible to serve. ("Administrative appointment" includes appointments as President, Vice President, Associate or Assistant Vice President, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, or Director of an academic unit.)

6. PTE PROCEDURES

- 6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee no later than November 1.

- 6.2 After November 1, the information that may be added to the portfolio is limited to
- Recommendations by the evaluating units considering the portfolio at that time;
 - the candidate's response to those recommendations;
 - any materials requested by the evaluators.

6.2.1 Candidates may petition the college Dean and PTE committee to add additional materials after the deadline. The Dean and PTE committee must both agree to the addition in order for additional material to be added.

6.2.2 Any additional materials added to the portfolio must pertain to information or material already in the portfolio, such as pending publications or grant proposals.

- 6.3 Unsolicited individual faculty input is limited to the department level of review.

- 6.4 Recommendations and any other materials collected as part of the evaluation process at the department, college, and university levels must be added to the candidate's portfolio before being sent forward to the next level of review. At the time that any written materials are added to the candidate's portfolio, copies of the added material must be sent to the candidate for review. The candidate shall have 14 calendar days to respond in writing to the additional materials. Any response from the candidate to such materials must be in writing and must be included in the portfolio for review at the next level.

- 6.5 Allegations of misconduct discovered after November 1 that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.

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- 6.6 Colleges and departments shall document that they have followed all procedures; e.g., by a comprehensive checklist of the steps in the PTE process. The documentation must be included in the portfolio.
- 6.7 The College PTE Committee and the College Dean shall separately and independently review and evaluate the candidate's portfolio without discussion or communication.
- 6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the ~~Provost/VPAAProvost~~ by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.
- 6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the ~~Provost/VPAAProvost~~ by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.
- 6.10 The ~~Provost/VPAAProvost~~ shall review the candidate's materials and the recommendations of the department, college PTE Committee, and College Dean. The ~~Provost/VPAAProvost~~ shall make a recommendation in writing, including an explanation of the basis for it, by March 31, to the President. Copies of the ~~Provost/VPAAProvost~~'s written recommendation shall be sent to the candidate, the department chair/head, the College Dean, and the College PTE Committee. The ~~Provost/VPAAProvost~~ may solicit input from a nonvoting advisory committee consisting of tenured, nonadministrative faculty representing each college.
- 6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.
- 6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.
- 6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

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7. APPEALS

- 7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.
- 7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

Electronic copies of portfolios shall be maintained by the appropriate college for the length of time specified by the university records management policy. Disposal of these documents, as well as filing of archival copies, will also conform to the university records management policy.

HISTORY:

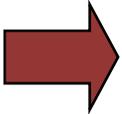
Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011

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Policy 331.1 Version 1 November 06, 2013

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name – 331.1: Course Syllabus

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change: To update and clarify language in existing policy, add more specific information about graduate level expectations for cross-listed courses, college/program honor codes, etc.
2. This policy was originated by (individual, office or committee/organization):
 - Registration and Records, on behalf of the University Academic Affairs Committee
 - Email address of the person who should be contacted with revisions – k.wold-mccormick@nds.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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Policy [331.1](#) Version 1 [November 06, 2013](#)

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SECTION 331.1 COURSE SYLLABUS

SOURCE: NDSU Faculty Senate

Each course taught at NDSU shall have a syllabus to provide specific class information for students and to fulfill federal and other legal requirements. The following categories of information shall be included on all syllabi:

- Course prefix, [catalog](#) number, credits, and title
- Instructor and contact information
 - Include campus address, phone number, email address, office hours
- Bulletin description
 - Description on syllabus must be consistent with the description listed in the current course catalog. Additional information may be included after the bulletin description in a syllabus.
- Course objectives
 - List objectives, goals, aims and/or outcomes for the course.
 - All General Education course syllabi and course web sites must identify the course as having been approved for General Education and include the General Education category and outcomes. See [General Education Course Syllabi Requirement](#).
 - For courses offered for both undergraduate and graduate credit, course objectives should be written to clearly define the increased expectations for graduate students in these courses.
- Evaluation procedures and criteria
 - Indicate how students are evaluated, including tests, quizzes, papers, assignments, weight of the assignments, etc.
 - Clearly identify how course grades are determined.
 - If a course is offered for both undergraduate and graduate credit, the additional requirements for graduate students must be clearly described on the syllabus. These courses require a significant, identifiable higher level of expectations for the performance of the graduate students.
- Attendance
 - If class attendance is a component of the course grade, the course instructor must clearly communicate this in the syllabus. ~~S~~ (see [NDSU Policy, Section 333 for faculty and student responsibilities related to attendance, including for university-sponsored activities.](#))
 - Faculty are encouraged to provide the following statement on syllabi: "Veterans and student soldiers with special circumstances or who are activated are encouraged to notify the instructor in advance."
- ~~Notification of class audio/video recording and distribution (if applicable)~~
 - ~~If audio and/or video recording and/or distribution of the class will be done, notify students and explain how the information will be used.~~
- Course schedule/outline/calendar of events
 - Provide students with a tentative projected outline of significant events that occur throughout the semester, including assignments, projects, examinations, field trips, guest speakers, etc.
 - Note the NDSU Dead Week policy, which limits the amount and type of exams/quizzes that may be given during the last two weeks of the semester and identifies exceptions. See [NDSU Policy Section 336: Examination and Grading](#).
- ~~Required~~ Student resources
 - List books, lab manuals, technology, supplies, calculators, and any other materials required or recommended for the student to complete the course requirements.
- American with Disabilities Act statement
 - The following statement, ~~or something similar,~~ must appear on all syllabi:
Any students with disabilities or other special needs, who need special accommodations in this course are invited to share these concerns or requests with the instructor and contact the [Disability Services Office](#) as soon as possible.
- Approved academic honesty statement.
 - This may be a statement of a college honor code or a The following statement such as must appear on all syllabi:
The academic community is operated on the basis of honesty, integrity, and fair play. [NDSU Policy 335: Code of Academic Responsibility and Conduct](#) applies to cases in which cheating, plagiarism, or other academic misconduct have occurred in an instructional context. Students found

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Attachment 3

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guilty of academic misconduct are subject to penalties, up to and possibly including suspension and/or expulsion. Student academic misconduct records are maintained by the [Office of Registration and Records](#). Informational resources about academic honesty for students and instructional staff members can be found at www.ndsu.edu/academichonesty.

• In addition to the above, a statement of a college honor code, if applicable, should be included.

- ~~Syllabi with updated schedules or information shall contain the date of last update. A template to facilitate preparation of a syllabus is available on the Academic Affairs Committee web site. Faculty are encouraged to provide the following statement on syllabi: "Veterans and student soldiers with special circumstances or who are activated are encouraged to notify the instructor in advance."~~

HISTORY: New September 28, 2000
Amended February 2009
Housekeeping December 2010
Housekeeping February 14, 2011
Amended June 1, 2011

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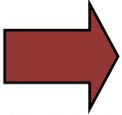
December 9, 2013

Attachment 4

Policy 333 Version 1 November 06, 2013

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name – 333: Class Attendance Policy

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change: To update and clarify language in existing policy, add more specific information about university sanctioned activities and student soldiers missing classes.
2. This policy was originated by (individual, office or committee/organization):
 - Registration and Records, on behalf of the University Academic Affairs Committee
 - Email address of the person who should be contacted with revisions – k.wold-mccormick@ndsuhousekeeping.com

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Attachment 4

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SECTION 333

CLASS ATTENDANCE POLICY ~~AND PROCEDURE~~

SOURCE: NDSU Faculty Senate Policy

1. GENERAL PHILOSOPHY

- a. Attendance in classes is expected. Only the course instructor can excuse a student from course responsibilities. (The term course includes class, laboratory, field trips, group exercises, or other activities.)
- b. If class attendance is a component of the course grade, the course instructor must clearly communicate this to the class in writing in the syllabus.

2. FACULTY RESPONSIBILITY

- a. The course instructor must ~~clearly~~ inform students on the first day of class and in writing in the syllabus (1) of their policy regarding class absence (including if supporting documentation is required); and (2) policy, ~~if any~~, for making up missed assignments. It is recognized that sometimes an assignment is impossible to make-up.

~~b. Although The~~ the course instructor ~~should must~~ exercise a fair and consistent standard for resolving questions of missed assignments, the type, extent, manner, and time frame of the make-up assignments ~~shall be at the discretion of the instructor~~.

3. STUDENT RESPONSIBILITY

a. Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two-week notice). Where advance notification is not possible (e.g., illness, family emergency, ~~etc.~~), students should contact their course instructor as soon as possible about the absence. Veterans and student soldiers with special circumstances or who are activated are encouraged to notify the instructor in advance and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.

b. When a student misses class for any reason, the student is ~~expected responsible for contacting the instructor to make to make~~ arrangements ~~with the course instructor~~ to follow the course instructor's policy in making up any missed assignments, if permitted.

HISTORY: New May 20, 1970 Amended December 12, 1977 Amended April 1992 Amended October 2004 Amended June 2007
Housekeeping February 14, 2011

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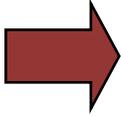
December 9, 2013

Attachment 5

Policy 336 Version 1 November 06, 2013

Policy Change Cover Sheet

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



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

ION: **Number and Name – 336: Examinations and Grading**

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

- Is this a federal or state mandated change? Yes No
- Describe change: *Update references to deadlines, make minor changes to formatting/editing, and create headers for different types of examination and grading policies/guidelines. Incorporate section on midterm grading.*

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

- Registration and Records, on behalf of the University Academic Affairs Committee
- Email address of the person who should be contacted with revisions – k.wold-mccormick@ndsu.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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Policy 336 Version 1 November 06, 2013

North Dakota State University Policy Manual

SECTION 336 EXAMINATIONS AND GRADING

SOURCE: NDSU Faculty 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. Thi~~se~~ se deadlines is~~are~~ published on an annual basis and typically fall~~occurs in week 12~~three weeks before the last day of the semester, which includes final examination week, for regular-standard full-term courses. Deadlines for variable length courses vary~~and~~ are prorated based on the length of the session in which~~classes fall~~.

Examinations and grade lists are not to be posted by name, social security number or University-generated student 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)

Mid-Term Grades

As an early intervention effort to improve retention and academic progress of students, mid-term grade rosters are generated prior to the 8th week of fall and spring semesters for all standard full-semester classes. Instructors shall, at minimum, enter deficient mid-term grades of D and F in undergraduate courses. Notifications are sent to students with reported deficient mid-term grades and to academic departments/advisers.

For all other courses, mid-term progress reports shall be made available to students upon request.

Mid-term grades are not considered official grades and do not appear on student academic transcripts.

Adviser holds may be placed on students who have one or more reported deficient mid-term grades.

Final Examinations:

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 summer classes and distance-delivered classes are arranged by the instructors. Classes scheduled outside the standard scheduling patterns do not have published final examination periods. Instructors are to make arrangements to administer examinations at times that are least disruptive to students' existing schedule of final exams. Final examinations for all other courses may not be rescheduled during the final examination period, or given prior to the

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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 Faculty 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

Grades for all undergraduate, graduate and professional students in all courses must be entered by the grade loading deadline in order for important end-of-term academic and financial processes to run, and for timely academic standing notifications to be sent to students. Final grades are reported ~~on-line~~ in the student information system 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.

Incomplete Grades

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.
2. 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.

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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 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.

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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.

HISTORY:

New	January 19, 1970
Amended	April 1992
Amended	November 1992
Amended	May 2005
Amended	October 2006
Housekeeping	February 14, 2011

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January 27, 2014

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, A. Denton, S. Duffield, E. Gillam, G. Gramig, T. Hall, C. Hargiss, J. Harmon, C. Hawley, E. Hilliard, F. Huseynov, X. Jia, J. Jones, W. Lin, F. Littman, L. Manikowske, C. Platt, B. Pruess, S. Rahman, S. Sather-Wagstaff, G. Shen, B. Suzen, R. Sylvester, M. Weber, and P. Zhao

Substitutions: M. Mara for T. Barrett, D. Rogers for R. Green, M. Secor-Turner for T. Lundeen, L. Jiang for A. Tangpong, and E. Conwell for L. Thomas

MOTION (Sather-Wagstaff/Hall): to suspend the agenda and move directly to the Provost's presentation on budget (see 'Unfinished Business').

I. Approval of Minutes

MOTION (Sather-Wagstaff/Shen): to approve minutes of the December 9, 2013, Faculty Senate meeting as distributed. MOTION CARRIED WITH UNANIMOUS CONSENT.

II. Consent Agenda

- Academic Affairs Report ([Attachment 1](#))

MOTION (Sather-Wagstaff/Hawley): to approve the Academic Affairs report as posted. MOTION CARRIED WITH UNANIMOUS CONSENT.

III. General Announcements

a. *President-Elect of Faculty Senate* –

MOTION (Denton/Sather-Wagstaff): to move the Graduate Student Health Insurance resolution up on the agenda (See 'New Business'). MOTION CARRIED WITH UNANIMOUS CONSENT.

b. *Vice President of Student Body-*

- Plus/Minus Grading - E. Diederich provided results and led discussion on a student survey regarding plus/minus grading. While there was some support for a new grading system, respondents offered greater support for the current grading scale. Reasons cited included additional stress with plus/minus grading, concern that it will result in lower grade point averages and more requests for grade changes. There was particular focus placed on A- grades. Discussion followed on the protocol for approval at the various senates should a proposal go forward and the level of state involvement/support. Due to overall lack of support for change, Student Senate does not plan to take further action at this time.

Faculty Senate Minutes

IV. Senate Committee Reports

a. *Council of College Faculties* –

On behalf of E. J. Miller, H. Hatterman-Valenti, reported the following:

- CCF will suggest a system-wide research pool of funds (clarification and details are being sought);
- CCF members attended a special SBHE meeting on January 17, 2014, regarding the Pathways to Student Success initiatives. CCF adopted following statement in response:

The Council of College Faculties appreciates the work of the SBHE in developing broad goals of the Pathways initiative. The CCF recommends that additional reflection and analysis of the Pathways plan take place on the NDUS campuses. Further, the CCF recommends that Interim Chancellor Skogen and the campus presidents, with significant input from the faculty, be charged with developing the operational details and metrics of the Pathways initiatives.

b. *General Education/Accreditation* –

L. Peterson reported that last semester, the CULE committee talked about having campus open forums on a proposed new general education model. It has been determined that the committee needs more time to study and conduct additional research before open forums for campus input are planned.

c. *Senate Coordinating Council* –

H. Hatterman-Valenti announced that, due to the timing of the SCC meeting, there are no policies to present, including Policy 332: *Assessment of Courses and Instruction*, which will be deferred until the February Senate meeting.

V. Unfinished Business

• *Allocation of Equity Funding* – ([Attachment 2](#))

Provost Rafert presented on the \$6.4 million of base funding that NDSU received for the biennium. He shared information on the academic infrastructure of NDSU, the number of faculty FTEs the funding provided (24), and the percent of operating funds returned to academic departments (13%). Research universities benefit from cross-subsidies and require a complex portfolio. While the equity funding was very welcome and is serving a variety of needs, it doesn't constitute a significant portion of university's overall budget.

He shared the guiding metrics for strategic investments, which include accreditation needs, overarching initiatives (library, graduate health insurance/stipends, spousal hire pool, ombuds position); prior commitments, and the academic roadmap (academic programs and

Faculty Senate Minutes

national reputation, including Carnegie standing). He closed with a breakdown slide of funding and expenditures by college and division.

A question was asked about graduate student researcher stipends as part of grants. The goal is for every PI to ask sponsors for tuition where it is allowed; timing and exact mechanisms are being determined. Another question was raised on why funds were directed back to colleges instead of invested in something like graduate student health insurance.

Brief discussion followed on whether additional resources can be expected for the next biennium. President Bresciani responded that additional funding is likely, but not in the form of equity adjustments. Rather, the new funding formula which is based on our productivity and success, should yield additional funds for NDSU.

The discussion closed on the topic of graduate student stipends. Determinations were made that the highest priority would be full-time doctoral students.

VI. New Business

a. *Graduate Student Health Insurance Resolution* – ([Attachment 3](#))

B. Pruess shared a resolution with the Faculty Senate with the intent to provide a strong faculty voice on the importance and urgency of this issue. Minor edits were suggested and made to the proposed resolution, including specific language about the egregious hardship on students required to purchase insurance and reducing the financial load.

Discussion followed on the role of the NDUS and the impact of the Affordable Care Act on the resulting increased costs.

MOTION (Sather-Wagstaff/Benson): to approve the resolution as presented and modified. MOTION CARRIED WITH UNANIMOUS CONSENT.

b. *Power of One Campaign* –

B. Law, School of Performing Arts and campaign co-chair, presented on the campaign, which has become a year-round team approach rather than unit-by-unit competition. Another new feature is that student philanthropy stations will be set-up around campus. Payroll deduction opportunities will continue to be available. The ultimate goal is to increase the level of participation and the overall number of donors; the size of the gift is less important. Donors can designate where their money goes, including their own programs.

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c. *Faculty Senate-sponsored Blood Drive* –

Senators were surveyed on their level of interest in having the Faculty Senate sponsor a blood drive on campus. The interest was mixed with some concern shared about the message that all are welcome to donate when, in reality, many individuals are prohibited from donating blood.

VII. Adjournment

The meeting adjourned at 4:55 p.m.

Submitted,
Kristi Wold-McCormick, Ph.D.
Secretary, Faculty Senate

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North Dakota State University

January 27, 2014

Attachment 1

Academic Affairs Committee Report

Approved Curricular Recommendations

New Program									
Biomedical Engineering , M.S. and Ph.D. (Joint with University of North Dakota)									
New Courses									
Subject	No.	Title	Crs.	Effective Term					
BIOL	859	Evolution	3	Fall 2014					
CM&E	475	Design of Site Erosion Control	3	Spring 2015					
HDFS	740	Theories & Research in Family Financial Planning I	3	Fall 2014					
HDFS	741	Theories & Research in Family Financial Planning II	3	Fall 2014					
PSYC	340	Psychology in Sport	3	Fall 2014					
PSYC	450/650	Computational Methods in Experimental Psychology	3	Fall 2014					
VETS	482L	Large Animal Techniques Laboratory	1	Spring 2014					
Course Changes									
From:				To:					
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term	
AGEC	746	Agribusiness II: Agrifinance and Commodity Trading	3	AGEC	712	Applied Risk Analysis II	3	Fall 2014	
BIOC	720	Scientific Integrity	1	UNIV	720	Scientific Integrity	1	Fall 2014	
CJ	460/660	Criminalization	3	CJ	460/660	Criminal Court System	3	Spring 2014	
CM&E	301	Construction Technology and Equipment	4	CM&E	301	Construction Technology and Equipment	3	Fall 2014	
CM&E	380	Construction Estimating: Quantities and Costs	4	CM&E	380	Construction Estimating: Quantities and Costs	3	Fall 2014	
CM&E	412	Construction Management Capstone	3	CM&E	488	Construction Management Capstone	3	Spring 2015	
CM&E	450	Steel Design for Technologists	3	CM&E	450	Steel Design and Construction	3	Fall 2014	
ECON	470/670	Public Finance	3	ECON	470/670	Public Economics	3	Fall 2014	
MUSC	722	Applied Instrumental Pedagogy	1-2	MUSC	722	Applied Instrumental Pedagogy	1-3	Spring 2014	
MUSC	764	Applied Instrumental Literature	1-2	MUSC	764	Applied Instrumental Literature	1-3	Spring 2014	
VETS	482	Large Animal Techniques	3	VETS	482	Large Animal Techniques	2	Spring 2014	
Change in Prerequisites/Corequisites and Change in Bulletin Descriptions									
Subject	No.	Title	Prerequisite/Corequisite Change						
EDUC	751	Students and Their Learning	Change in Bulletin Description						Fall 2014
IME	456/656	Program and Project Management	Change in Bulletin Description Req: Junior Standing						Sppring 2014
New Temporary/Special Topics (For information only)									
EDUC	791	STEM Philosophy in K-12 Education	3	Spring 2014					
LANG	796	English Language and Classroom Skills for International GTAs	3-5	Spring 2014					



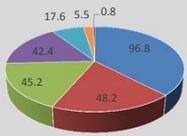
Agenda

- Revenues and Operating Expenses for NDSU-Context/Overview
- Academic Infrastructure Investments FY14
 - \$6.4M 'true up' funds (\$3.2M/yr) supports ~24 FTE faculty lines plus other strategic efforts as noted later in this presentation
 - \$534K operating funds (13% return)
 - A very good year
- Discussion

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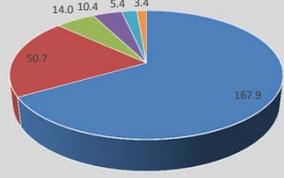
NDSU Revenues and Operating Expenses (FY12 snapshot)

Revenues FY12 (millions)



Category	Value (millions)
Tuition and Fees	96.8
Appropriations	48.2
Sales and Services-Auxillary	45.2
Federal Grants	42.4
State and NonGovt Grants and Contracts	17.6
Sales and Services-Other	5.5
Other-Operating	-0.8

Operating Expenses FY12 (millions)

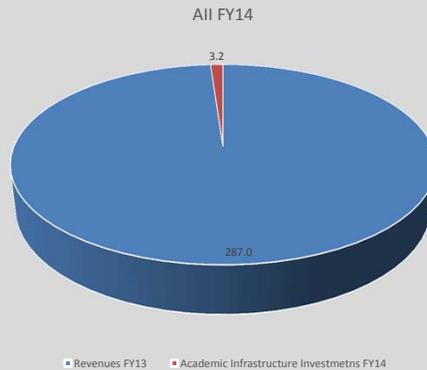


Category	Value (millions)
Salaries	167.9
Operating Expenses	50.7
Depreciation Expense	14.0
Costs of Good Sold	10.4
Waivers/Scholarships/Fellowships	5.4
Data Processing	3.4

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Academic Infrastructure Investments FY14- portion of NDSU Budget—"True up" funds

\$3.2M (FY14); \$6.4M (FY14 + FY15)



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All Operating Funds Increase FY14

- 13% increase of \$534K
 - \$53K Ag
 - \$44K AHSS
 - \$20K COB
 - \$41K COE
 - \$4K Grad
 - \$235K Library
 - \$23K PNAS
 - \$66K CSM
 - \$2K Univ Studies

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Four Guiding Metrics for Strategic Investments

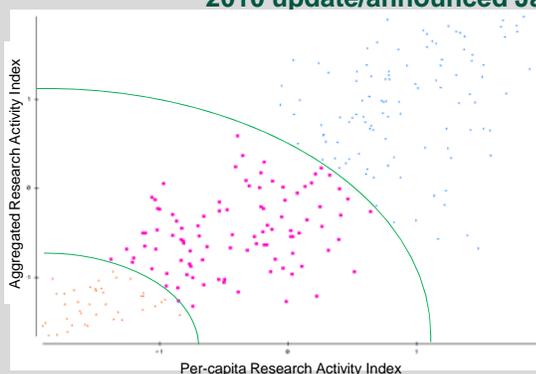
- Accreditation Needs
- Overarching Initiatives
 - Library \$150K
 - Grad health insurance subsidy \$200K
 - Grad stipend increase \$400K
 - Spousal hire pool (first ever) \$200K
 - Omsbud position (first ever) \$265K
- Prior Commitments
- Academic Roadmap-academic program and national reputation (e.g., Carnegie RVH) growth

- Categories are not mutually exclusive

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National Reputation I: Carnegie Classification

2010 update/announced January 2011



What does this mean – numerous moving parts contribute to determination of our classification

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Funding and Expenditures

Unit	Grant	Non-Grant	Prog Inc	Total
Agricultural Affairs	16,369,848	46,439,394	53,340	62,862,582
Art/Hum/SS	359,992	10,293	0	370,285
Business	8,030	0	0	8,030
Eng/Arch	2,364,403	121,692	0	2,486,095
Human Dev/Ed	517,163	37,243	0	554,406
Pharm/N/AS	1,232,566	190,294	0	1,422,860
Sci/Math	9,816,913	1,295,576	0	11,112,488
UGPTI	6,354,265	1,728,194	0	8,082,460
RCA	12,737,234	1,066,834	0	13,804,068
Grad School	80,485	0	0	80,485
WRRRI	12,893	0	0	12,893
EQ/DIV	45,990	0	0	45,990
Total	49,899,784	50,889,520	53,340	100,842,644

FY2013 Base research expenditures

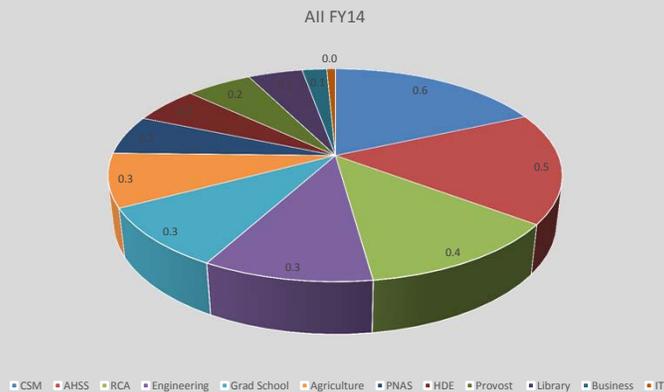
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11/18/13

President's Cabinet

9

\$3.2M Academic Infrastructure Investments FY14 (by unit)



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AII Numbers FY14

CSM	0.6	18.36%
AHSS	0.5	16.85%
RCA	0.4	12.60%
Engineering	0.3	10.19%
Grad School	0.3	9.24%
Agriculture	0.3	8.13%
PNAS	0.2	5.97%
HDE	0.2	5.61%
Provost	0.2	5.61%
Library	0.2	4.62%
Business	0.1	2.09%
IT	0.0	0.74%
	3.2	100.00%

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Discussion

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Numbers FY13

Revenues			
	Tuition and Fees	100.9	35.16%
	Appropriations	77.1	26.86%
	Sales and Services-Auxillary	46.2	16.10%
	Federal Grants	36.8	12.82%
	State and NonGovt Grants and Contracts	15.8	5.51%
	Sales and Services-Other	9.3	3.24%
	Other-Operating	0.9	0.31%
	Total	287.0	100.00%
Operating Expenses			
	Salaries	175.5	64.88%
	Operating Expenses	58.6	21.66%
	Depreciation Expense	17.7	6.54%
	Costs of Good Sold	10.6	3.92%
	Waivers/Scholarships/Fellowships	3.9	1.44%
	Data Processing	4.2	1.55%
	Total	270.5	100.00%

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Resolution

Whereas, North Dakota State University, NDSU, is a Student Focused, Land Grant Research University that has, over the last several years, improved its ranking and recognition on a national level due to the quality of work accomplished, and

Whereas Graduate Assistants have proven to be a critical resource for this improved recognition in all aspects of the University's mission, and

Whereas, recruitment of Graduate Assistants has become a nationally competitive process in which all aspects of support are considered by the candidates, and

Whereas, NDSU's current research and teaching assistantships are marginally competitive at the national level, and

Whereas, for a number of reasons beyond NDSU's control, the out-of-pocket cost for health insurance has risen from \$62.50 to \$161 per month, the change taking effect in February, 2014, and

Whereas, this precipitous change is an egregious hardship, especially for those students who are required to purchase it and had no time to prepare for it, and

Whereas, it is recognized that this situation will require both the short term and the long term solution approach,

Be it resolved that the Faculty Senate strongly recommends to NDSU to take all available short term and long term steps to recognize and decrease this financial burden to a group of valued, heavily utilized, hard-working Graduate Assistants on campus who were required to purchase the student health plan.

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North Dakota State University

February 10, 2014

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, A. Denton, S. Duffield, M. Engler, J. Gao, E. Gillam, G. Gramig, R. Green, T. Hall, C. Hargiss, J. Harmon, C. Hawley, F. Huseynov, X. Jia, B. Johnson, J. Jones, W. Lin, F. Littman, K. Maddock Carlin, C. Platt, B. Pruess, S. Rahman, S. Sather-Wagstaff, G. Shen, B. Suzen, R. Sylvester, M. Weber, E. Wu, Y. Nan and P. Zhao

Substitutions: B. Benton for T. Barrett, W. Phillips for L. Manikowske and B. Balas for L. Thomas

I. Approval of Minutes

MOTION (Sather-Wagstaff/Johnson): to approve minutes of the January 27, 2014, Faculty Senate meeting as distributed. MOTION CARRIED WITH UNANIMOUS CONSENT.

II. Consent Agenda

- a. Academic Affairs Report ([Attachment 1](#))
- b. Senate Coordinating Council - Policy Changes:
 - Policy 133.1 - Tuition Waiver Spouse and Dependents ([Attachment 2](#))
 - Policy 180 – Separation Procedure ([Attachment 3](#))
 - Policy 220 – Staff Job Discipline/Dismissal ([Attachment 4](#))
 - Policy 232 – Pre-Action Review ([Attachment 5](#))

MOTION (Sather-Wagstaff/Jones): to approve the Consent Agenda as posted. MOTION CARRIED WITH UNANIMOUS CONSENT.

III. General Announcements

- a. *NDSU Provost* –

Provost Rafert provided the following updates:

- Budget - Positive feedback has been received on the provost's budget presentation shared at the January Faculty Senate meeting.
- Ombudsperson – Names of the top candidates have been provided and an offer will be made soon.
- Spousal Hiring Pool – Funds were provided this year for first time, and while limited, it was the first step in the right direction. These funds were quickly utilized and it's possible that more will be added to this pool for limited additional opportunities for this coming fall.

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- Dean of Libraries– K. Sandstrom will serve as chair of the search committee, which is being assembled (approximately 10 members). The search will be underway soon, but a hiring date likely will be after July 1st.
- VP Information Technology– This search, which originally started during the fall, will resume in the coming weeks. While candidates will be recruited, a final decision will be made closer to fall.
- Report on Council for Improving Advising – The report was discussed at the Deans’ Council. L. Peterson, VP Student Affairs Mathew and Student Body President R. Lauf garnered support of the deans. The Provost and VPSA will visit with President Bresciani on the necessary next steps, resources and a timeline.
- Joint meeting of state Academic Affairs Council (AAC) and Student Affairs Council (SAC) - It was announced to the joint councils that the CCF is planning a meeting of the faculty in Grand Forks for this coming fall. The councils discussed this being a good time for new faculty to get an overview of the NDUS and SBHE.

The joint meeting also included significant discussion on the *Pathways to Student Success* initiative, particularly in regard to the admission index equation. The system gathered data on the state’s four year institutions and has allowed NDSU’s Office of Institutional Research and Analysis to use its data modeling software to determine what measures of student success would look like using various coefficients. Different definitions of student success also must be determined. NDSU has helped transition the NDUS to a more data-driven approach, and is now looking at software that uses big data and software modeling to do predictive analytics. OIRA also is studying the Gateway courses in which there are a high percentage of D-F-Ws to determine factors that lead to student performance, as well as persistence and success.

b. *Vice President of Student Body* –

E. Diederich reported the following:

- UNIV 189 mentorship applications are available. Faculty members should encourage students to apply. These positions help influence new students in a positive way.
- Nominations for the Odney Award are being sought.
- VP Student Affairs candidates have been on campus, and students have been involved with that search process.
- Student Senate meetings now are being recorded and broadcast on the Bison Information Network (BIN).

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IV. Senate Committee Reports

a. *Council of College Faculties* –

E. J. Miller, CCF member, provided the following report:

- The work of the Council has shed light on how diverse the 11 institutions are and how their goals change based on mission, size, etc.
- The CCF has petitioned the NDUS Chancellor for funding in order to hold more face-to-face meetings. Council members believe this format would aid discussions and lead to greater efficiency and productivity.
- A proposal from the UND representatives was to establish a convocation of faculty, that would eventually move between campuses.
- The CCF has been interested in responding to the SBHE initiatives, including Pathways. A goal would be to increase campus involvement in the studying of and input on initiatives, rather than having the SBHE drive all the discussions. A statement by the CCF was read.

“The Council of College Faculties appreciates the work of the SBHE in developing broad goals of the Pathways initiative. The CCF recommends that additional reflection and analysis of the Pathways plan take place on the NDUS campuses. Further, the CCF recommends that Interim Chancellor Skogen and the campus presidents, with significant input from the faculty, be charged with developing the operational details and metrics of the Pathways initiatives.”

The question on whether faculty should have a vote on the SBHE was raised again. This desire has been made known by the CCF on numerous occasions.

b. *Senate Coordinating Council* –

H. Hatterman-Valenti presented the following policy for discussion and vote:

- Policy 151 – Code of Conduct ([Attachment 6](#))

MOTION (Sather-Wagstaff/Littman): to approve the policy changes as presented. Brief comments were made on workplace bullying compared to poor conduct of staff having a bad day (one time v. pervasive behavior), and related consequences. A question was raised on whether this policy can be applied to decisions on tenure.

MOTION CARRIED WITH A VOTE OF 29-0-6. The following senators or their substitutes voted aye: Akyuz, Barrett, Burghaus, Clark, Denton, Duffield, Engler, Gramig, Green, Hall, Hargiss, Hawley, Huseynov, Johnson, Jones, Lin, Littman, Maddock Carlin, Rahman, Sather-Wagstaff, Shen, Suzen, Sylvester, Thomas, Weber,

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Wu, Yu and Zhao. The following senators abstained: Benson, Gao, Gillam, Harmon, Jia and Platt.

V. Unfinished Business

a. Policy 332 – *Assessment of Courses and Instruction* ([Attachment 7](#) and [Attachment 8](#))

C. Ray, chair, provided the following overview and update on the policy:

- Results of internal research conducted by former committee members showed biases that impacted women over men. The CSWF recommended revisions to the policy and to SROIs. In February 2012, the Faculty Senate formed an ad hoc committee to study policy 332, which included representatives from each college. The committee also looked at SBHE policy 605.1.6 that includes language on student input in evaluation of instruction. Peer institution policies were studied. In fall 2012, the committee brought the policy back to Faculty Senate for feedback. As a result, language was clarified and more faculty input was requested. The Faculty Senate later asked the committee to also look at SROIs. At the end of spring 2013, three open forums for faculty were held to get feedback on policy 332, with minimal attendance, and strongly divergent feedback. A pedagogical luncheon and additional presentations were held before the policy was turned back to the SCC. It will be brought forth to the Senate again in the near future with different iterations of the policy reflected.

Guiding principles are improvement in teaching and removal of bias. Definitions have been provided in the policy as well as the goal of triangulation. Research shows that instructors who get peer feedback regularly, over time, will see improvement in instruction. Frequency of review is to be determined by department. The policy title was revised slightly. Senators are encouraged to take the policy back to their colleges in the next month for final feedback.

Questions included reasons for not determining how often such feedback is necessary, documentation, the relationship to policy 352, the use of teaching portfolios, and electronic v. paper student assessment. Additional discussion followed on language requiring student assessments to be submitted directly to the head/chair v. department administrative assistant, and students' ability to judge the usefulness of courses. Teaching philosophy and its place in evaluation of instruction also was a matter of debate. A request was made for the research/literature used in this study.

Final discussion/comments focused on policy format, definition of academic unit, evaluation of advising, and the flexibility of language that allows for different definitions, instruments, and applications to be used based on discipline, department, accreditation, etc.

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Ray and his committee were thanked for their good work and dedication on this policy and process over the past couple of years.

b. Ombudsperson Interviews –

- R. Green reported that a hiring recommendation has gone forward, and negotiations will start this week with the top candidate.

VI. New Business

a. Climate Survey –

- C. Platt reported that the survey is intended to make NDSU a better place to work. Senators are asked to take this information back to their colleagues and encourage participation. The link to the survey is expected to be sent out in late February.

Platt provided responses to common objections:

- 1. It doesn't make a difference whether I take the survey or not.*
 - a. Response: In the past, the feedback has helped the campus get necessary resources and training.
- 2. I don't have problems, why should I take this survey?*
 - a. Affirmation of things going well also is important.
- 3. We get so many survey requests, and I'm too busy to take time to do this.*
 - a. The instrument was redesigned to include skip logic to ensure ease and efficiency for survey respondents.

This survey is different from the work/life balance survey. It is anonymous, though it is technically possible for IP addresses on campus to be tracked. Most data will be aggregated, and open-ended responses will be made non-identifiable. Responses from individuals in small, identifiable populations will be redacted. Kara Gravely Stack is the PI and will be the only administrator to receive the highest level feedback. Her supervisor and upper administration will not have access to it.

VII. Adjournment

The meeting adjourned at 4:53 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary, Faculty Senate

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Attachment 1

Academic Affairs Committee Report

Approved Curricular Recommendations

New Certificates									
Apparel, Retail Merchandising and Design, Human Development and Education, Undergraduate Level (via Distance and Continuing Education/online)									
Technology-Enhanced Instruction, Human Development and Education, Graduate Level (via Distance and Continuing Education)									
New Program Option									
Licensure Track in Educational Leadership Program, M.Ed. Degree Only									
New Courses									
Subject	No.	Title					Crs.	Effective Term	
CM&E	305	Pre-Construction Management					3	Fall 2014	
CSCI	450/650	Cloud Computing					3	Fall 2014	
CSCI	462/662	Mobile and Wireless Networks					3	Summer 2014	
CSCI	771	Software Development Project I					3	Fall 2014	
CSCI	772	Software Development Project II					3	Fall 2014	
ECE	776	Software and Hardware for Cloud Computing					3	Summer 2014	
HNES	761	Physiological and Fitness Assessment in Exercise and Nutrition Science					3	Fall 2014	
Course Deletion									
SAFE/CFS	752	Advanced Food Microbiology					3	Summer 2014	
Course Changes									
<i>From:</i>				<i>To:</i>					
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term	
BIOL	705	Teaching College Science	3	STEM	810	Teaching College Science	3	Fall 2014	
BIOL/ANSC	730	Growth Biology	3	BIOL/ANSC	830	Growth Biology	3	Fall 2014	
BIOL/ENT	742	Quantitative Biology	3	BIOL/ENT	842	Quantitative Biology	3	Fall 2014	
BIOL	750	Advanced Ecology	3	BIOL	850	Advanced Ecology	3	Fall 2014	
BIOL	776	Population Dynamics	4	BIOL	876	Population Dynamics	4	Fall 2014	
BIOL	777	Analysis of Population and Demographic Data	3	BIOL	877	Analysis of Population and Demographic Data	3	Fall 2014	
BIOL	784	Biological Research Principles	3	BIOL	884	Biological Research Principles	3	Fall 2014	
BOT/ZOO	720	Advanced Cell Biology	3	BOT/ZOO	820	Advanced Cell Biology	3	Fall 2014	
BOT	762	Environment and Adaptation	3	BOT	862	Environment and Adaptation	3	Fall 2014	
BOT	764	Ecological Processes	3	BOT	864	Ecological Processes	3	Fall 2014	
EDUC	706	Foundations of Doctoral Scholarship	3	EDUC	801	Foundations of Doctoral Scholarship	3	Fall 2014	
EDUC	707	Foundations of Educational Research	3	EDUC	802	Foundations of Educational Research	3	Fall 2014	
EDUC	708	Philosophical Foundations of Education	3	EDUC	803	Philosophical Foundations of Education	3	Fall 2014	
EDUC	716	International and Comparative Education	3	EDUC	806	International and Comparative Education	3	Fall 2014	
EDUC	717	Adult Learning	3	EDUC	851	Adult Learning	3	Fall 2014	
EDUC	719	Plannning and Conducting Needs Assessment	3	EDUC	871	Planning and Conducting Needs Assessment	3	Fall 2014	
EDUC	721	Assessment Techniques for Educational Institutions	3	EDUC	832	Assessment Techniques for Educational Institutions	3	Fall 2014	

EDUC	723	Diversity and Educational Policy	3	EDUC	807	Diversity and Educational Policy	3	Fall 2014
EDUC	725	Institutional Analysis Techniques	3	EDUC	882	Institutional Analysis Techniques	3	Fall 2014
EDUC	727	Higher Education Law	3	EDUC	844	Higher Education Law	3	Fall 2014
EDUC	740	Financing Higher Education	3	EDUC	843	Financing Higher Education	3	Fall 2014
EDUC	741	Student Affairs and Enrollment Management	3	EDUC	842	Student Affairs and Enrollment Management	3	Fall 2014
EDUC	745	Program Evaluation	3	EDUC	884	Program Evaluation	3	Fall 2014
EDUC	746	Institutional Quality Control	3	EDUC	831	Institutional Quality Control	3	Fall 2014
EDUC	749	Case-Based Educational Research and Statistics	3	EDUC	873	Case-Based Educational Research and Statistics	3	Fall 2014
EDUC	754	Foundations of Occupational & Adult Education	3	EDUC	852	Foundations of Occupational & Adult Education	3	Fall 2014
EDUC	756	Strategic Planning for Institutional Improvement	3	EDUC	833	Strategic Planning for Institutional Improvement	3	Fall 2014
EDUC	763	Education and Training for Business and Industry	3	EDUC	863	Education and Training for Business and Industry	3	Fall 2014
EDUC	764	Instructional Methods for Adult Learners	3	EDUC	853	Instructional Methods for Adult Learners	3	Fall 2014
EDUC	767	Organization and Administration of Higher Education	3	EDUC	841	Organization and Administration of Higher Education	3	Fall 2014
EDUC	770	Empowerment and Transformative Education	3	EDUC	808	Empowerment and Transformative Education	3	Fall 2014
EDUC	771	Structural Equation Modeling Fundamentals	3	EDUC	885	Structural Equation Modeling Fundamentals	3	Fall 2014
EDUC	772	Curriculum and Instruction Development	3	EDUC	861	Curriculum and Instruction Development	3	Fall 2014
EDUC	773	Qualitative Research Methods	3	EDUC	872	Qualitative Research Methods	3	Fall 2014
EDUC	774	Advanced Qualitative Research	3	EDUC	886	Advanced Qualitative Research	3	Fall 2014
EDUC	779	Survey Research	3	EDUC	883	Survey Research	3	Fall 2014
EDUC	780	Instructional Models	3	EDUC	862	Instructional Models	3	Fall 2014
EDUC	783	Data Management and Decision Making	3	EDUC	881	Data Management and Decision Making	3	Fall 2014
HNES	727	Physical Activity in Wellness	3	HNES	727	<i>Physical Activity Epidemiology</i>	3	Summer 2014
STEM	704	STEM Curriculum and Instruction	3	STEM	820	STEM Curriculum and Instruction	3	Fall 2014
STEM	706	Research Methods in STEM Education	3	STEM	830	Research Methods in STEM Education	3	Fall 2014
STEM	709	Designing Technology-infused Learning Environments in Higher Education	3	STEM	840	Designing Technology-infused Learning Environments in Higher Education	3	Fall 2014
ZOO	750	Advanced Conservation Biology	3	ZOO	850	Advanced Conservation Biology	3	Fall 2014
ZOO	760	Evolutionary Ecology	3	ZOO	860	Evolutionary Ecology	3	Fall 2014
ZOO	764	Neuroendocrine and Endocrine Systems	3	ZOO	864	Neuroendocrine and Endocrine Systems	3	Fall 2014
ZOO	766	Advanced Animal Behavior	3	ZOO	866	Advanced Animal Behavior	3	Fall 2014
ZOO	770	Aquatic Community Ecology	4	ZOO	870	Aquatic Community Ecology	4	Fall 2014

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions

Subject	No.	Title	Prerequisite/Corequisite Change	
ABEN/ME	479	Fluid Power Systems Design	Prereq: ABEN 263, CE 309 or ME 352	Fall 2014
GEOL	414/614	Hydrogeology	Change in Bulletin Description Prereq: GEOL 105/105L; Math 147 OR Math 166; PHYS 212 or PHYS 252; CHEM 122 or CHEM 161	Fall 2014
HIST	489	Senior Seminar	Prereq: HIST 390	Fall 2014
MICR	752	Advanced Food Microbiology	Change in Bulletin Description Delete all existing prerequisite/s or corequisite/s	Summer 2014

Accelerated/Combined Undergraduate to Graduate Programs (For Information Only)

B.S. to M.S. Degree in Computer Science

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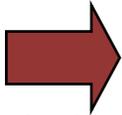
February 10, 2014

Attachment 2

Policy 133.1 Version 123 ~~0246/1208~~06/2013

Policy Change Cover Sheet

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



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

SECTION: **133.1 TUITION ~~DISCOUNT~~WAIVER- Spouse and Dependents**

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

The proposed change extends the tuition ~~discount~~waiver to partners of NDSU employees who are in a committed relationship. This change is in line with recent changes to other NDSU policies that seek to be more supportive and inclusive of our gay and lesbian employees at NDSU. For example, the spousal hire policy (103.1.6.4) was modified to include partners. Additionally, similar changes have been added to section 320.6.1, the modified duties policy which allows faculty members to shift their responsibilities after the birth of a child belonging to the faculty member or the faculty member's spouse or partner. This change is also consistent with the Equal Employment Opportunity Policy at NDSU (Section 603.2) which states that "discrimination based on... sexual orientation... is prohibited." Current NDUS policy (Section 820) allows individual campus latitude in determining how they apply the tuition ~~discount~~waiver policy within their own institutions. This policy would be applicable to both staff and faculty at NDSU.

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

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

This portion will be completed by Melissa Lamp

Senate Coordinating
Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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

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February 10, 2014

Attachment 2

Policy 133.1 Version 123 0246/120806/2013

SECTION 133.1 TUITION DISCOUNTWAIVER – SPOUSE/ Partner AND DEPENDENTS

SOURCE: NDSU President

SBHE Policy Manual, Section 820.1

The North Dakota State Board of Higher Education allows campuses to adopt tuition waivers which are consistent with an institution's mission. The spouse/ partner and dependent tuition discountwaiver is intended to help recruit and retain faculty and staff who can best perform or support the teaching, research and public service mission of the University.

1. The spouse/ partner and dependents of regular (broadbanded staff must be off probation), benefitted NDSU employees are eligible for the discountwaiver effective Fall 2002.

1.1 Dependents are defined as those ~~unmarried children qualifying as dependents under the NDPERs health insurance plan~~ 25 years or under. (25 years of age or under if they are a full-time student, otherwise age 22 and under), who rely on the parent(s) for significant financial support.

1.1.1 A spouse/ partner or dependent who is also a regular, benefitted employee is only eligible for the employee tuition waiver outlined in Section 133 (Educational Policy).

1.2 Partner is defined for purposes of this policy as same sex partners who have completed and filed a Declaration of Domestic Partnership (hyper link) with the Office of Human Resources/Payroll.

1.3 The spouse/ partner and/or dependents must meet admission standards and register for classes through regular registration procedures.

1.34 The employee must be actively employed on the first day of each semester to be eligible for the discountwaiver.

2. The tuition discountwaiver is 50% of the tuition for NDSU classes (excluding self-supporting, Continuing Education courses and internships that require tuition to be paid to the site for student placement) per spouse and/or dependent.

2.1 The discountwaiver applies regardless of whether paying resident or out-of-state tuition.

2.2 The maximum discountwaiver for the dependent of more than one eligible employee is 50%.

2.3 Fees are not discountwaivered or waived.

2.4 The discountwaiver applies to both undergraduate and graduate level classes.

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

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Attachment 2

Policy [133.1](#) Version ~~123~~ ~~0246/1208~~06/2013

3. Procedure

3.1 A Spouse/Dependent Tuition [DiscountWaiver](#) application needs to be submitted to the Office of Human Resources/Payroll by the Monday two weeks prior to the start of classes for which the waiver is requested. Given that conditions in this policy may change, it will be necessary to review the conditions of eligibility each term.

3.2 Proof of marriage, domestic partnership, and/or dependency may be required.

~~3.2.1 An affidavit of domestic partnership must be filed with Human Resources.~~

3.3 In accordance with federal regulations, the tuition [discountwaiver](#) will be used as a financial resource and become part of the student's financial aid package. The Student Financial Services Office may need to adjust aid if the amount of the tuition [discountwaiver](#), along with other financial aid, exceeds the total cost of attendance.

3.4 No employee who has an overdue accounts receivable balance with the University may receive a spouse/dependent tuition [discountwaiver](#).

3.5 In accordance with IRS regulations, the value of the tuition waived for graduate level classes will be considered taxable income to the employee. Federal, state and social security taxes will be deducted in a lump sum from the employee's last paycheck of the semester, or, at the employee's written request, deducted on a prorated basis throughout the semester.

HISTORY:

New April 2002

Amended July 2003

Amended April 2005

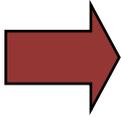
Amended October 18, 2010

Housekeeping November 17, 2011

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Policy Change Cover Sheet

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

SECTION: SECTION 180 SEPARATION PROCEDURE

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change:
 - Amended section 1.2. This change is more inclusive of the process for removal and/or change of network services and access to electronic assets such as email, shared network folders, and online services that is followed when an employee separates from NDSU. Fixed the broken URL link to the Separation Checklist.
 - Section 3: Added an apostrophe to employee's.
2. This policy was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted
 - Human Resources/Payroll: Colette Erickson, Director
 - General Counsel's Office: Christopher Wilson and Matthew Hammer, NDUS General Counsels
 - Information Technology Division: Marc Wallman, Interim VPIT and CIO; Theresa Semmens, CITSO
 - Email address of the person who should be contacted with revisions
Theresa.Semmens@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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Attachment 3

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

North Dakota State University Policy Manual

SECTION 180 SEPARATION PROCEDURE

SOURCE: SBHE Human Resource Policy Manual, Sections 7 and 26
NDSU President

1. An employee leaving the service of the University, either of his/her own volition or after having been informed of his/her separation, shall contact the Office of Human Resources/Payroll for information relevant to the separation process.
 - 1.1 *Departments should submit an NDSU Change Form: 101 to the Office of Human Resources/Payroll. This should be completed at least 10 days prior to the end of the pay period in which the separation will occur.*
 - 1.2 *Departments ~~should~~ must contact the appropriate security officers to remove or change access for systems, computer access, online service, networks, file storage, e-mail accounts ~~and removal from~~ e-mail lists for the terminating employee. ([Employee Separation Checklist](#))*
2. A regular employee is eligible to receive payment for accrued annual leave pay. Annual leave pay shall be prorated for the pay period of termination if the employee has not completed a full pay period of employment.
 - 2.1 The last day of work is the termination date, except that two weeks termination pay shall be provided when a two weeks' notice of layoff is not possible (*lack of work, or other unforeseen emergencies*). Upon termination, an employee shall be paid for all unused annual leave accrued through the termination date.
 - 2.2 The effective date used in a resignation, termination, or early retirement agreement is the termination date. This means the effective date can't be a holiday or a non-working day and must be the employee's last working day.
3. A *regular* employee with at least ten continuous years of state employment who leaves the employ of the state, is entitled to a lump-sum payment equal to one-tenth of the pay attributed to the ~~employee~~employee's unused sick leave. The pay attributed to the accumulated, unused sick leave must be computed on the basis of the employee's salary or wage at the time the employee leaves the employ of the state.
4. *All employees having possession of any University property including, but not limited to, such items as keys, NDSU ID Cards, laptop computers, etc., shall, prior to or upon termination of employment, return such property to the employee's immediate supervisor. All debts owed the University shall be*

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Attachment 3

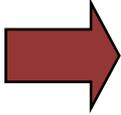
paid in full prior to termination of employment unless other arrangements have been made with the Customer Account Services Office. Faculty who have reporting requirements under sponsored research agreements shall meet such reporting requirements prior to termination. If the employee fails to return property under his/her control, damages property (including destruction of University electronic files or documents), fails to pay debts owed to the University, or fails to meet the reporting requirements under a sponsored research agreement, the employee's last paycheck and/or other compensation due the employee (e.g., accrued leave payments) may be withheld or cancelled (or a portion representing the value of the debt/property) until all such property is returned, debts are paid or reporting requirements are met, provided there is a written document signed by the employee consenting to the foregoing deductions or this deduction policy. Withholding from the employee's last paycheck cannot result in employee receiving less than minimum wage or overtime requirements of law. If the employee is also a student at NDSU, grade transcripts and diplomas may be held in addition to his/her last paycheck.

HISTORY:

New	July 1990
Amended	June 1994
Amended	July 1997
Amended	October 2000
Amended	January 2006
Amended	December 2006
Amended	October 2007
Amended	January 2008
Amended	October 18, 2010
Housekeeping	June 1, 2011

Policy Change Cover Sheet

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SECTION: *220 Staff Job Discipline/Dismissal*

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

- Is this a federal or state mandated change? Yes No
- Describe change: *Remove 1, 1.1 and 3.e since board policy does not contain those sections. Add the removed pieces from policy 232.*

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

- *HR/Payroll with Office of General Counsel*
- *Brittnee.steckler@nds.edu*

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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North Dakota State University

Policy Manual

SECTION 220 STAFF JOB DISCIPLINE/DISMISSAL

SOURCE: NDUS Human Resources Policy Manual, Section 25

~~1. The University shall have the right to discipline or discharge an employee for cause. The employing department should discuss possible job discipline and/or dismissal action with the Director of Human Resources/Payroll to ensure that proper procedure is followed. Any decision with regard to employment, compensation, discipline, or termination should be based upon verifiable job-related criteria.~~

~~1.1 In all cases, the employing department will notify the employee both orally and in writing as to the reasons for the disciplinary action and the employee's right to appeal. A copy of the disciplinary letter should be forwarded to the Director of Human Resources/Payroll for inclusion in the employee's official personnel file.~~

~~2.1.~~ A regular staff employee may be dismissed from employment, suspended without pay, changed to a lower pay rate, or changed to a position with a lower pay rate, for just cause. Just cause includes conduct related to the employee's job duties, job performance, or working relationships which is detrimental to the discipline or efficiency of the institution in which the employee is or was engaged.

~~3.2.~~ The employing department shall notify the employee and the Director of Human Resources/Payroll of the proposed action in writing. The written notice must include:

- a. A statement that the supervisor intends to dismiss, suspend, or lower the pay rate of the employee.
- b. A statement identifying any policies violated by the employee.
- c. A statement of the specific charges against the employee; citing the employee's behavior, dates and/or occurrences, witnesses, and other evidence against the employee.
- d. Notice that the employee may provide the supervisor with evidence, explanation, or other information in writing which contradicts the allegations and evidence.

~~e. Notice of how the pre-action review will be conducted.~~

~~f.e.~~ Notice of the employee's status until the final decision is made. (i.e. whether the employee to continue working or be placed on leave of absence with pay)

~~4.3.~~ A regular staff employee who is being suspended without pay, changed to a lower pay rate for disciplinary reason or dismissed shall be entitled to a pre-action review. This review will be conducted by the Director of Human Resources/Payroll and may be limited to the written record including the employee's written response to the allegations, or at the option of the Director of Human Resources/Payroll may be conducted in person. The pre-action review shall be held no sooner than three working days from the time notice as provided to the employee.

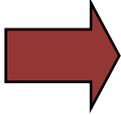
- a. The review official shall consider all evidence and will make a determination whether there are reasonable grounds to believe the charges against the employee are true and support the proposed action.
- b. The employee and the department head will be notified, in writing, of the review official's determination. The department head will then give the employee a written notice of his/her final decision. A notice of dismissal, suspension without pay, or demotion must include a written detailed statement of the basis for the action and inform the employee of their right to appeal.

HISTORY:

New	April 1992
Amended	June 1997
Amended	August 1999

Policy Change Cover Sheet

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



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

SECTION: *232 Pre-Action Review*

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change: *Remove Policy 232 altogether as we will incorporate it into Policy 220. Both policies come from NDUS policy 25, so combining the two will make the process less confusing for staff.*
2. This policy was originated by (individual, office or committee/organization):
 - *HR/Payroll with Office of General Counsel*
 - *Brittnee.steckler@nds.edu*

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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North Dakota State University

Policy Manual

SECTION 232 PRE-ACTION REVIEW

SOURCE: NDUS Human Resource Policy Manual, Section 25.3-5

NDSU defers to the NDUS Policy 25 in regard to staff discipline and/or dismissal.

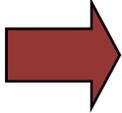
- ~~1. In all dismissal, suspension without pay or demotion for just cause cases, the employing department shall notify the employee and the Director of Human Resources/Payroll immediately in writing, stating the reason for the proposed action and the employee's right to appeal. (See NDSU Policy 220)~~
- ~~2. A regular staff employee who is being suspended without pay, dismissed or demoted for disciplinary reasons shall be entitled to a pre action review before an appropriate official (generally the Director of Human Resources/Payroll). This review may be limited to the written record including the employee's written response to the allegations, or at the option of the review official, may be conducted in person.~~
- ~~3. The review official shall consider all evidence and will make a determination whether there are reasonable grounds to believe the charges against the employee are true and support the proposed action.~~
- ~~4.1. The employee and the department head will be notified, in writing, of the review official's determination. The department head will then give the employee a written notice of his/her final decision. A notice of dismissal, suspension without pay, or demotion must include a written detailed statement of the basis for the action and inform the employee of their right to appeal.~~

HISTORY:

New	July 1990
Amended	October 1997

Policy Change Cover Sheet

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



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

SECTION: *Policy Number 151 CODE OF CONDUCT*

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
2. *Office of HR/Payroll is proposing the addition of the expected behaviors for NDSU employees into section 2. General Conduct. This was originally* a proposal from the NDUS Human Resource Counsel to add to the Code of Conduct Policy. This office is requesting the addition to state appropriate workplace behavior. NDSU has many disciplinary actions where employees don't understand what appropriate workplace behavior. There are policies that address alcohol, discrimination, and violence in the workplace, but there are no policies defining appropriate workplace behavior i.e. being respectful of others/being a nice person.

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

- *Human Resources/ Payroll/12-19-2013*
- Colette.erickson@ndsu.edu

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

This portion will be completed by Melissa Lamp

Senate Coordinating
Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

If you have any questions regarding this cover sheet, please contact Melissa Lamp at 1-6133 or Melissa.lamp@ndsu.edu. The formatting of this policy will be updated on the website once the content has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to Melissa.Lamp@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

North Dakota State University Policy Manual

SECTION 151 CODE OF CONDUCT

SOURCE: State Policy Manual, Section 308.1
State Policy Manual, Section 611.4
NDSU President

1. Introduction and Application. This Code of Conduct governs the State Board of Higher Education and its members and establishes minimum standards for all NDUS officers and employees. The Board and entire NDUS are committed to uphold the highest ethical and professional standards. All Board members and NDUS officers and employees must, at all times, comply with all applicable laws, regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, or bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law.

2. General Conduct. The Board supports an environment that is free of discrimination or harassment. All Board members, officers and employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of the NDUS, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or applicable system office or institution policies, are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law or SBHE Policy 603.1, is prohibited.

Board members, officers and employees are expected to uphold the values of honesty, respect, integrity and trust. In addition, when interacting with one another and the public, all are expected to behave in a professional, collegial, cordial, civil, positive, respectful and ethical manner.

3. Conflicts of Interest. All Board members, officers and employees are expected to perform their duties conscientiously, honestly, and in accordance with the best interests of the NDUS. All Board members, officers and employees must comply with applicable federal and state laws. Board members, officers and employees may not unlawfully use their position or the knowledge gained as a result of their position for private or personal advantage. All Board members, officers and employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of federal or state law or SBHE policy is encouraged to communicate with a superior or with legal counsel.

3.1 Conflict of Interest – Contracts.

An officer of the North Dakota State Board of Higher Education authorized to sell or lease any property or make any contract in the officer's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract. Pursuant to N.D.C.C. Section 48-02-12, employees of the Board may not have any interest in a public construction or repair contract.

An employee of the Board may not have an interest in any contract involving the expenditure of public or institutional funds entered into by the institution that the employee serves or by the Board unless:

a. N.D.C.C. Sections 12.1-13-03 and 48-02-12 do not apply; and

b. The contract is approved by the institution's chief financial officer or, if the employee in question is the chief financial officer or president of an institution or an officer of the Board, by the Board, following full disclosure of the employee's interest.

All employees involved in projects receiving federal funds shall consult applicable federal laws and regulations and comply with conflict of interest rules which may govern federal grants or other sponsored agreements.

An officer or other employee who violates this policy is subject to dismissal or other disciplinary action.

Employees of NDSU authorized (including delegated authority) by Policy 712 to enter into contracts on behalf of the University must sign the North Dakota State University Conflict of Interest Disclosure Statement. All other employees will be provided notice about this Policy but need only sign the statement if they have a conflict. Notices and collection of statements shall be administered by the Purchasing Office.

Employees have an obligation to act in the best interests of NDSU. Any direct or indirect personal or financial interest which could create a conflict of interest or the appearance of a conflict of interest in any agreement, transaction or relationship must be disclosed by the employee by completing and signing the North Dakota State University Conflict of Interest Disclosure Statement and submitting it to the employee's supervisor. This includes but is not limited to the disclosure of privately owned assets being used or otherwise commingled with state assets and participation in any foundation, business or public entity which may create a conflict with an employee's obligations to NDSU. See also NDSU Policy 152: External Professional Activities.

4. Outside Activities and Employment.

Board members, officers and employees share responsibility for good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to the NDUS and is encouraged. However, officers and employees must comply with applicable federal and state laws, policies in Section 611 of the SBHE Manual and related system office and institution policies. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving the NDUS of their best efforts in fulfilling their job duties or that create a conflict of interest, or an obligation, interest, or distraction that interferes with the independent exercise of judgment in the NDUS' best interest.

5. Relationships with Clients and Suppliers; Conflicts of Interest. Board members are not NDUS employees and may have other full or part-time employment and other professional, civic and personal responsibilities and activities, in addition to their part-time service as Board members. Nevertheless, Board members must be familiar with and comply with applicable laws governing conflict of interest that apply to Board members and should strive to avoid other activities that create an obligation, interest or distraction that interferes with the independent exercise of judgment in the best interest of the NDUS. They should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the NDUS or NDUS institution, or that provides goods or services to the NDUS, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties.

6. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions. Excluding on de minimus contributions, such as purchase of a meal at reasonable value as part of a conference or other event with no conditions attached to such purchase and as permitted under applicable federal and state laws, Board members, officers and employees may not accept favor of any person or organization with whom or with which the NDUS or NDUS institution has, or is likely to have, business dealings. Similarly, Board members, officers and employees may not accept any other preferential treatment under circumstances that because of their position with the NDUS, the preferential treatment may influence or be perceived as influencing their official conduct. Board members, officers and employees may not receive payment or compensation of any kind from any source for NDUS duties and responsibilities, except as authorized under applicable law or NDUS pay policies. Specifically, the acceptance of "kickbacks" or commissions in any form from vendors, suppliers or others is prohibited.

7. NDUS Funds and Other Assets

Board members, officers and employees who have access to NDUS fund and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDUS procedure manuals or other explanatory materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior or to legal counsel.

Board members, officers and employees responsible for spending or approving expenditure of NDUS funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of the NDUS to ensure that good value is received for every expenditure. NDUS funds and all other assets are for NDUS purposes only and not for personal use or benefit. NDUS or other public equipment, supplies and other property or assets may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or policy.

8. NDUS Records and Communications. Accurate and reliable records of many kinds are necessary to meet NDUS legal and financial obligations and to manage the affairs of the NDUS. NDUS books and records must reflect in an accurate and timely manner all business transactions. Board members, officers and employees responsible for accounting and recordkeeping must fully disclose and record all assets and liabilities and exercise diligence in enforcing these requirements. Board members, officers and employees must not make or engage in any false record or communication of any kind, whether internal or external, including, but not limited to, false expense, attendance, enrollment, financial, or similar reports and

statements, or false advertising, deceptive marketing practices, or other misleading representations.

9. Dealing with Outside People and Organizations.

Board members, officers and employees must take care to separate their personal roles from their NDUS positions when communicating on matters not involving NDUS business. They may not use NDUS identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve NDUS business, Board members, officers and employees may not represent that they speak for the NDUS, unless that is one of their duties or they are otherwise authorized to do so. When dealing with anyone outside the NDUS, including public officials, Board members, officers and employees must take care not to compromise the integrity or damage the reputation of the NDUS or any institution.

10. Prompt Communications.

In all matters involving communication with NDUS students, customers, suppliers, government authorities, the public and others, Board members, officers and employees must endeavor to make complete, accurate, and timely communications and respond promptly and courteously to all proper requests for information and complaints.

11. Privacy, Confidentiality and Open Records.

Board members, officers and employees must at all times comply with applicable laws, regulations and SBHE policies concerning privacy, confidential records, access to open records and records retention.

12. Reporting Suspected Violations; Procedures for Investigating Reports.

Officers and employees shall report suspected violations of this Code to their superior, some other senior manager or administrator or legal counsel. In addition, the NDUS shall maintain a fraud hotline and suspected violations may be reported by use of that hotline. Any officer or employee who makes a report in good faith shall be protected against retaliation of any kind; any officer or employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline. Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.

Board members who have information concerning a possible violation of this Code or are uncertain about application or interpretation of any legal requirement should report the matter to the chancellor, legal counsel or the attorney general.

Alleged violations of this Code involving NDUS officers or employees shall be investigated by the appropriate NDUS officer. All officers and employees shall cooperate in investigations of alleged violations. A violation of this Code is cause for dismissal or other appropriate disciplinary action, in addition to any criminal or other civil sanctions that apply.

13. Institution Codes.

The NDUS office and each NDUS institution shall adopt and implement a Code of Conduct consistent with this Code and Committee of Sponsoring Organization of the Treadway Commission (COSO) Standards. NDUS office and institution codes shall include:

- a. A Statement of the organization's values;
- b. The people or groups of people affected;

- c. A brief description or list of key behaviors that are accepted and not accepted;
- d. How to identify and resolve conflicts of interest;
- e. How to report violations and to whom;
- f. Consequences of violating the Code;
- g. Consequences of failure to report known or suspected violations; and
- h. How reports will be investigated. The NDUS office and each institution shall require that each new employee review the Code of Conduct and sign a statement certifying the employee has read and agrees to comply with the Code. Further, all benefited employees are required to annually certify in writing that they have read and are in compliance with the Code of Conduct.

Resources and Related Policies:

[NDSU Policy 100: Equal Opportunity and Nondiscrimination Policy](#)

[NDSU Policy 110: Employment of Relatives](#)

[NDSU Policy 100.1: Nondiscrimination on the Basis of Disabilities and Reasonable Accommodation](#)

[NDSU Policy 112: Pre-employment and Current Employee Criminal Record Disclosure](#)

[NDSU Policy 151: Conflict of Interest](#)

[NDSU Policy 151.1: External Activities and Conflicts of Interest](#)

[NDSU Policy 152: External Professional Activities](#)

[NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees](#)

[NDSU Policy 160: Political Activities of University Employees](#)

[NDSU Policy 161: Fitness for Duty](#)

[NDSU Policy 162: Sexual Harassment Policy](#)

[NDSU Policy 162.1: Consensual Relationships](#)

[NDSU Policy 169: Employee Responsibility and Activities: Theft and Fraud](#)

[NDSU Policy 169.1: Employee Misuse of Property Reports - - Protections](#)

[NDSU Policy 190: Employee Responsibility and Activities: Intellectual Responsibility](#)

[NDSU Policy 323: Selection of Textbooks and other Curricular Materials](#)

[NDSU Policy 326: Academic Misconduct](#)

[NDSU Policy 345: Research Involving Human Subjects NDSU Policy 340.1: Coursepacks](#)

[NDSU Policy 400: Purchasing - General Policies](#)

[NDSU Policy 406: Surplus Property](#)

[NDSU Policy 505: Property, Plant and Equipment](#)

[NDSU Policy 700: Services and Facilities Usage](#)

[NDSU Policy 700.1: Use of University Name](#)

[NDSU Policy 700.2: Taking Equipment Off-Campus](#)

[NDSU Policy 700.3: Personal Use of State Property](#)

[NDSU Policy 710.1: Web Advisory Board](#)

[NDSU Policy 712: Contract Review](#)

[NDSU Policy 718: Public/Open/Restricted Records](#)

[NDSU Policy 823: Financial Disclosure - sponsored Projects](#)

[NDUS Policy 603.3: Nepotism](#)

[NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility](#)

[NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest](#)

[NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials](#)

[NDUS Policy 803.1: Purchasing Procedures](#)

[Conflict of Interest Form](#)

[NDSU Consulting Authorization Request Form](#)

[NDSU Fraud Hotline](#)

[AAUP Statement of Professional Ethics](#)

[NDSU Research Foundation](#)

[N.D.C.C. Ch. 12.1-13 \(See section 12.1-13-03: Public servant's interest in public contracts.\)](#)

[N.D.C.C. Ch.48-01.2: \(See section 48-01.2-08: Officers must not be interested in contract.\)](#)

[N.D.C.C. Ch. 44-04: \(See section 44-04-09: Nepotism.\)](#)

HISTORY: New July 1990

Amended November 1996

Amended June 2000

Amended October 2001

Amended December 2002

Housekeeping August 2009

Amended March, 25, 2011

Housekeeping June 24, 2011

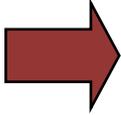
Housekeeping August 18, 2011

Housekeeping February 1, 2012

Housekeeping November 19, 2012

Policy Change Cover Sheet

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SECTION: 332 ASSESSMENT OF COURSES AND INSTRUCTION

- 1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandated change? Yes No
 - Describe change: *This policy change expands the assessment of teaching to include input from the individual faculty member as well as peers while simultaneously clarifying the information collected from students. This current version modified language for clarity.*
- 2. This policy was originated by (individual, office or committee/organization):**
 - *Faculty Senate Policy 332 Ad Hoc Committee*
 - *Chris.Ray@nds.edu*

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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North Dakota State University

Policy Manual

SECTION 332

ASSESSMENT OF ~~COURSES AND INSTRUCTION TEACHING~~

SOURCE: NDSU Faculty Senate Policy

1. INTRODUCTION

1.1. The purposes of this policy ~~are is~~ to provide direction for ~~faculty instructors~~ in their ongoing efforts to improve the quality of instruction, ~~and to improve and~~ student learning, ~~for at~~ North Dakota State University. Four guiding principles are emphasized in this policy concerning the purpose of assessment of teaching effectiveness: (1) to clarify and reflect what is meant by teaching effectiveness, including the demonstration of teaching effectiveness; (2) to emphasize the improvement of teaching and learning; (3) to utilize a holistic approach that triangulates the measurement of teaching effectiveness; and (4) to minimize possible forms of bias such as student motivation and student or instructor demographics.

1.2. Definition of Instructors

1.2.1. For the purpose of this policy, instructors include all individuals, regardless of faculty status (e.g., probationary, tenured/tenure-track, and non-tenure-track faculty, instructors, and graduate teaching assistants) who serve in any teaching capacity as defined below.

1.3. Definition of Teaching

~~1.1.1.~~1.3.1. The assessment process reflected in this policy includes all forms of teaching (e.g., classrooms, labs, online environments, and other instructional supervision activities) at all levels (e.g., undergraduate and graduate). Particular approaches to teaching vary widely, and instructors may demonstrate pedagogical skills in a variety of creative and innovative ways, all of which should be given due consideration.

1.4. Sources of Evidence

1.4.1. The triangulation approach to measuring teaching effectiveness should include data collected from the instructor (see section 2), students (see section 3), and peers (see section 4).

1.4.2. The faculty or instructional staff for each academic unit will decide what specific sources of evidence are appropriate for the unit.

2. INSTRUCTOR-PROVIDED MATERIALS

2.1. Individual academic units should develop a flexible approach to assessment of teaching effectiveness that includes collection of evidence submitted directly by the instructor. It is recommended that this evidence be submitted in the form of a teaching portfolio according to criteria established by the academic unit.

2.2. In addition to the materials submitted for comprehensive peer review (see section 4), the instructor-provided materials may include, but is not limited to, reflective statements concerning the instructor's philosophy of teaching, teaching effectiveness, and course or curricular changes made as a response to teaching assessments; teaching materials developed by the instructor; video recordings of instructional activities; evidence of scholarly activity related to teaching and learning; evidence of student learning; data from knowledgeable peers; evidence of quality advising; and additional feedback from students.

~~2.—~~

~~3.—~~ Formative Assessment

2.3. During each academic year~~Additionally~~, the instructor will assess instruction ~~in at least one class~~ by soliciting information from students, peers, or both, for the primary purpose of improving instruction. Assistance in selecting appropriate assessment techniques is available from the NDSU Office of Accreditation, Assessment, and Academic Advising. While information from such formative assessments is considered property of the instructor and should not be shared without the instructor's consent, Faculty Senate Assessment Committee. ~~C~~ompletion of formative assessments will be noted in annual reports.

2.4. Any materials identified by the instructor as relevant to his or her instructional responsibilities should be considered in the teaching evaluation process.

~~3.1.—~~

3. STUDENT INPUT

~~4.—~~ Summative Evaluation

~~2.1.—~~

3.1. In accordance with NDUS policy 605.1.6, which states that "evaluations of all teaching faculty must include significant student input," all instructors must be assessed regularly by students in a manner appropriate to the instructional role.

3.2. University-Wide Course Rating Forms

3.2.1. Every section of every class offered at North Dakota State University will be ~~assessed~~evaluated each term by the students using, as a minimum, the university-wide set of rating items. This set of ratings should consist of items that students are qualified to judge, such as ~~These items will evaluate~~ student perception of instructor fairness within the course, perception of overall course quality and usefulness, student understanding of the ~~principles in the~~ subject matter upon course completion, and the instructor's ability to communicate effectively. In addition, each instructor, unit, or college may is encouraged to develop additional items to include as a part of the evaluationcourse assessment form as appropriate to the academic discipline.

~~4.1.1.—~~

3.2.2. Departments are encouraged to utilize an electronic course assessment process as an alternative to paper assessments. Departments may contact the Group Decision Center

(GDC) to have the university-wide rating form set up electronically. Data on only the university-wide items, aggregated by course level (lower division, upper division, graduate) without reference to specific courses, will be forwarded to the Office of Institutional Research and Analysis.

3.2.3. 2.2 The university-wide course evaluation assessment should will occur during the final fourth-quarter of the term, but not concurrent with examination periods. Someone other than the instructor, (including Graduate Teaching Assistant's, or other individuals under the direct supervision of the instructor) will administer the instrument. If administered in paper format during a class session, a student in the class shall collect the evaluations assessments and forward them directly to the appropriate department/unit head for analysis. The instructor will not be present while the student rating is being completed. All instructors will receive a copy of the analysis for their courses after final grades are submitted. The departmental/unit office and the dean's office will retain a copy of the analysis for use during the annual faculty appraisals and for other administrative purposes.

3.2.4. The assessment form should indicate that student responses to the university-wide rating form may be used for evaluative purposes concerning personnel decisions including tenure, promotion, and salary decisions.

4.1.2. Items on the university-wide rating form are subject to approval by the NDSU Faculty Senate and should be examined and controlled for student motivation and other possible forms of bias. Departments are encouraged to utilize an electronic evaluation process as an alternative to paper evaluations. Departments must contact the Group Decision Center (GDC) to have a Student Rating of Instruction set up electronically. The department/unit head will forward data, on only the university wide items, aggregated by course level (lower division, upper division, graduate) without reference to specific courses, to the Office of Institutional Research and Analysis.

4.1.3.

3.2.5. 2.3

3.2.6. All courses ending in 90-series numbers will be exempt from this procedure policy concerning the university-wide rating form.

3.3. Additional Student Input

3.3.1. At the discretion of the instructor, other student input may be used to supplement the university-wide ratings. Such supplemental evidence may include, but is not limited to, written comments on the university-wide rating form, student feedback in the form of exit interviews solicited by the department/unit head or immediate teaching supervisor, or other information voluntarily provided by students.

4. PEER REVIEW OF TEACHING

4.1. In addition to assessment data provided by students, each academic unit should conduct a critical peer review of the instructor's range of teaching activities. The faculty or instructional staff for each academic unit will decide how this peer review should be conducted, including determining requirements for appropriate reviewers and frequency of review.

- 4.2. For all instructors, this peer review process should include the instructor's knowledge of the subject matter, contributions to the unit's teaching efforts, and any other teaching contributions such as curricular improvements. Materials for peer review may include, but are not limited to: statement of teaching philosophy; observation of classroom performance; course syllabi, including course objectives; sample instructional materials, assignments, and examinations; development of new or innovative course materials; cumulative list of courses taught by the instructor; student research supervised by the instructor, including theses and dissertations; receipt of teaching awards; and materials advancing the scholarship of teaching and learning in the instructor's academic discipline.
- 4.3. This peer-review process should be conducted in a manner appropriate to the academic discipline and ~~should~~ may include consideration of instructional activities occurring both within and outside the formal classroom such as traditional instruction, supervision of student research, laboratory instruction, advising, mentoring, and other activities related to student learning.

HISTORY:

New	December 10, 1973
Amended	April 1992
Amended	June 1994
Amended	January 2004
Amended	July 2, 2009
Housekeeping	February 14, 2011



Policy 332 Faculty Senate *Ad Hoc* Committee

STUDENT FOCUSED • LAND GRANT • RESEARCH UNIVERSITY

Background

- Commission on the Status of Women Faculty (FS, 1/23/12)
 - Align Policy and Procedure
 - Align PTE procedure with policy and establish criteria that demonstrate effective teaching.
 - Revise Student Ratings of Instruction
 - Systematically gather campus-wide data to create a list of questions that reflect criteria which students are qualified to answer.



Committee Charge

- “to review and propose changes to Policy 332, including but not limited to the use of multiple measures of assessment of teaching effectiveness.” (FS, 2/13/12)

Committee Members

- Chris Ray, Education (Chair)
- Canan Bilen-Green, Industrial Engineering
- Ed Deckard, Plant Sciences
- Katie Gordon, Psychology
- Don Miller, Pharmacy Practice
- Chanchai Tangpong, Management
- Verena Theile, English

Committee Timeline

- SP '12: Committee Formed; Policy Review
- SU '12: Policy Revisions
- FA '12: Policy Proposal to Faculty Senate
- SP '13: Revise SROI; Policy Forums
- FA '13: Pilot New SROI; Presentations
- SP '14: Policy Revisions to Senate

Proposed Revisions

- 1. Introduction
 - Clarifies purpose using guiding principles
 - Defines “instructors” and “teaching”
 - Introduces triangulation of evidence
- 2. Instructor-Provided Materials
 - Includes evidence such as philosophy, reflection, curricular changes, formative assessment, evidence of student learning, evidence of quality advising etc.

Proposed Revisions (2)

- 3. Student Input
 - Clarifies input students are asked to provide
 - Clarifies who can administer course forms
 - Requires statement indicating assessment data may be used for evaluation purposes
 - Clarifies that Faculty Senate is responsible for university-wide rating form (i.e., SROI)
 - Allows additional student input (comments, exit interviews, etc.)

Proposed Revisions (3)

- 4. Peer Review of Teaching
 - Requires peer review to supplement other evidence
 - Conducted as appropriate to academic discipline
 - Frequency determined by academic unit
- Revised Policy Title (Assessment of Teaching) clarifies focus

Questions?

NDSU NORTH DAKOTA
STATE UNIVERSITY

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

March 10, 2014

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, A. Denton, S. Duffield, M. Engler, J. Gao, P. Gibbs, E. Gillam, R. Green, T. Hall, C. Hargiss, C. Hawley, E. Hilliard, F. Huseynov, X. Jia, B. Johnson, J. Jones, T. Lundeen, L. Manikowske, C. Platt, S. Rahman, S. Sather-Wagstaff, G. Shen, B. Suzen, R. Sylvester, A. Tangpong, L. Thomas, M. Weber, E. Wu, Y. Nan and P. Zhao

Substitutions: E. Crisp Crawford for T. Barrett, R. Oliver for G. Gramig, and S. Gajan for W. Lin

I. Approval of Minutes

MOTION (Sather-Wagstaff/Hawley): to approve minutes of the February 10, 2014, Faculty Senate meeting as distributed.

MOTION TO AMEND (Hall/Platt): by correcting the section of the minutes concerning the campus climate survey as follows:

“Kara Gravely Stack is the PI and will be the only ~~one~~ administrator to receive the highest level feedback.”

MOTION TO APPROVE MINUTES, AS AMENDED, CARRIED WITH UNANIMOUS CONSENT.

II. Consent Agenda

- a. Academic Affairs Report ([Attachment 1](#))
- b. Senate Coordinating Council - Policy Change for Information:
 - Policy 130 – Annual Leave ([Attachment 2](#))

MOTION (Sather-Wagstaff/Hall): to approve the Consent Agenda as posted. MOTION CARRIED WITH UNANIMOUS CONSENT.

III. General Announcements

a. *Provost J. B. Rafert-*

- A preliminary offer has been made to and accepted by a candidate for the ombudsperson position. The plan is for this new position to be in place and ready for operations by May 30. Once finalized, a news release will be distributed. The search committee, under the leadership of Roger Green and Virginia Clark Johnson, was thanked for their excellent work in identifying top candidates.
- Innovation Challenge Week – The student teams, innovations and presentations for Innovation Week were inspirational. Local leaders and the national speaker that was here also were impressed by the nature of innovation across disciplines. Several students won thousands of dollars.

Faculty Senate Minutes

- PTE – The provost phase of review is complete and recommendations have been passed on to President for final approval. Those with dossiers in for promotion or tenure will receive emails, which will include the Provost's and others' evaluations. There is a 14-day opportunity to present additional materials, and March 24th is the date for accelerated submission to the NDUS. The faculty members up for PTE this year are very talented and their accomplishments are impressive.
- Tech Park- The Research and Technology Board has hired a consultant, Eva Klein and Associates, to work on a strategic plan for the technology park. The consultant has pointed out that it would be easier to develop a robust plan if they had a better understanding of how research works at NDSU. A draft report was presented to the Provost and Technology Park Board members, and once a hard copy is received, it will be shared with others on campus.
- The provost encouraged senators who have not yet done so to complete campus climate survey. This survey is important to the planning efforts of the University and is conducted every five years. An email reminder will be sent to the campus community this week.

b. *Text Book Adoption –*

NDSU textbook manager C. Wichman and his associate, Jenna, reminded faculty that it is textbook adoption time (March 28 for summer and April 11 for fall texts). The Bookstore's goal is to help students save money. If using or allowing old editions of a text, please let the Bookstore know, so current inventory is not returned just to be reordered. Custom textbook printing can be done on site. A leaflet on Academic Pub was distributed on different publishers. Faculty can also create text books that meet their unique needs. It is also important for the Bookstore to know if a class requires no text or something other than traditional texts, so wrong assumptions aren't made when course needs change.

Textbook rentals are popular and have saved NDSU students over \$46,000. Lists are sent to rental companies to approve what they will accept for rentals. This list of companies is being expanded to broaden text options and help students save even more money.

c. *Vice President of Student Body E. Diederich -*

- The SBHE is passing on its tuition recommendations to the campuses and students will review and provide input. A bill will be written in the coming week and voted on after spring break;
- The student activity fee is at \$4.1 million and includes the bike share program;
- Student Senate is working on a bill for Measure 3 that involves a SBHE vs. a 3-person education committee. Students likely will not support Measure 3 because it takes away the student voice, among other concerns.

Faculty Senate Minutes

IV. Senate Committee Reports

a. *Academic Affairs* – ([Attachment 5](#))

J. Bitzan presented a list of courses not on the consent agenda because they were approved by Academic Affairs after the Executive Committee meeting set the agenda for the March Faculty Senate meeting.

MOTION (Sather-Wagstaff/Hawley): to approve the Academic Affairs addendum as distributed. MOTION CARRIED WITH UNANIMOUS CONSENT.

b. *Senate Coordinating Council* –

- Policy 332 – Assessment of Courses and Instruction ([Attachment 3](#) and [Attachment 4](#)) – for discussion and vote

C. Ray, on behalf of the ad hoc committee, provided updates since the last Senate meeting. Minor changes were made to sections 3.2.2, 4.1 and 2.1.

A list of selected literature was distributed. The first student evaluation of teaching recorded was 1927 and thousands of studies have been published since. A question arose on literature related to teaching philosophy. Teaching effectiveness using portfolios to document good teaching is more prevalent. NDSU's policy itself does not require teaching philosophy statements, but rather it is up to each academic unit to determine such philosophies based on norms in their field.

Support for a holistic evaluation of teaching was shared by another senator, particularly in regard to bias in SROI questions. Discussion followed on whether there will be changes in scores reported as part of the tenure portfolio. A transitional period (7-8-year for a full transition, includes tenure extension) will be provided to anyone in a current tenure track role. They will be able to decide whether to use old or new questions.

The goal of the committee is to analyze this full year's data to make an informed recommendation on which existing and new items should be retained. This recommendation will be presented to the Faculty Senate in early fall semester, and if approved, the plan will be for implementation by the end of fall term.

Faculty names are not tied to SROIs and will not be part of the analysis. The committee will try to look at demographics in other ways.

Final discussion involved defining teaching effectiveness and it being an academic unit determination, particularly as it pertains to research.

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Concern also was expressed over language in 4.2., ‘may or may not include,’ vs. ‘may include, but not limited.’

MOTION (Platt/Hall): to approve changes to Policy 332 as presented.

MOTION TO AMEND (Sather-Wagstaff/Hawley): by striking language in the second sentence of section 2.1 as follows, “~~It is recommended that~~ This evidence may be submitted in the form of”
MOTION CARRIED WITH UNANIMOUS CONSENT.

MOTION TO AMEND (Sylvester/Sather-Wagstaff): by striking language in the second sentence of section 3.2.1 as follows, “This set of ratings should consist of items that students are qualified to judge, such as student perception of instructor fairness within the course, perception overall course quality ~~and usefulness~~, student understanding of the subject matter upon course completion...”
MOTION CARRIED WITH UNANIMOUS CONSENT.

Sylvester called the question. MOTION, AS AMENDED, CARRIED WITH A VOTE OF 30-3-2. The following senators or their substitutes vote aye: Akyuz, Barrett, Benson, Burghaus, Clark, Duffield, Engler, Gao, Gibbs, Gillam, Gramig, Green, Hall, Hargiss, Hilliard, Huseynov, Jia, Johnson, Jones, Lundeen, Manikowske, Platt, Rahman, Sather-Wagstaff, Suzen, Sylvester, Tangpong, Weber, Wu and Yu. The following senators voted nay: Hawley, Lin and Zhao. The following senators abstained: Denton and Shen.

V. New Business

a. *Policy 352 – Promotion, Tenure, and Evaluation Ad Hoc Committee*

K. Froehlich, representing the Full Professor Task Force and Commission on the Status of Women Faculty, presented a proposal to the Faculty Senate on establishing an ad hoc committee to look at Policy 352. This previously was presented to, and approved by, the Senate Executive Committee.

Rationale: Much has changed at NDSU in recent years as the institution has grown in size, complexity, and expectations. Today we are more aware of benefits of diversity, of facilitating and valuing contributions of all faculty, and the importance of training to effectively carry out key responsibilities. We also see more situations that deviate from the traditional career trajectory of assistant professor, to associate professor with tenure, and on to full professor. Policy 352, a central policy from the standpoint of faculty and the institution, may not adequately reflect or address some of these issues in our changing workplace.

The **charge** of the Task Force to review Policy 352 would be three-fold:

Faculty Senate Minutes

- 1) to begin discussions to review Policy 352 in light of our changing and more complex university context and associated issues described above;
- 2) to propose initial policy changes;
- 3) to evaluate the potential need and mechanisms for ongoing systematic review of Policy 352.

Selection of Task Force members:

Members of the Task Force will be appointed by the President of Faculty Senate, and will include a member from Faculty Senate Faculty Affairs Committee, Promotion to Full Professor Task Force, Commission on the Status of Women Faculty, and two or three members at large.

MOTION (Sather-Wagstaff-Gibbs): to approve the establishment of an ad hoc committee to review Policy 352. MOTION CARRIED WITH UNANIMOUS CONSENT.

- b. *Implementation of Approved Policies* - Senator Sather-Wagstaff expressed concern on the delay in having approved policies posted to the university web site for implementation and use. It was recommended to have the Faculty Senate President invite General Counsel to the next Senate Coordinating Committee meeting to see why there is a hold-up and if there are concerns with the policies that were advanced for final approval.
- c. *President-Elect Nominations and Elections* - According to the Faculty Senate Bylaws, an election for the position of president-elect is to occur at the April or May Senate meeting. Senators were encouraged to think about nominations for president-elect.

VI. Adjournment

Meeting adjourned at 4:20 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary, Faculty Senate

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North Dakota State University

March 10, 2014

Attachment 1

Academic Affairs Committee Report

Approved Curricular Recommendations

New Courses								
Subject	No.	Title	Crs.			Effective Term		
ADHM	375	Professional Development	1			Fall 2014		
HNES	376	Adapted Physical Activity	3			Fall 2014		
Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
ADHM	481	Apparel and Textiles Capstone Experience	3	ADHM	481	<i>Capstone in Apparel, Retail Merchandising and Design</i>	3	Fall 2014
HNES	388	Concepts of Athletic Training	3	HNES	388	<i>Prevention and Care of Athletic Injuries</i>	3	Spring 2015
Change in Prerequisites/Corequisites and Change in Bulletin Descriptions								
Subject	No.	Title	Prerequisite/Corequisite Change					
ADHM	470	Retail Financial Management and Control	Prereq: ADHM 171, CSCI 114 or CSCI 116; MATH 104 or MATH 107, MRKT 320, MGMT 320 and ACCT 102					
							Fall 2014	

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North Dakota State University

March 10, 2014

Attachment 5

Addendum to Academic Affairs Committee Report

Approved Curricular Recommendations

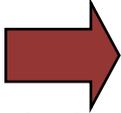
New Program									
Art Education in Art, Humanities and Social Sciences (B.A. and B.S.)									
New Courses									
Subject	No.	Title	Crs.						Effective Term
CM&E	405/605	Construction Support Operations	3						Fall 2014
CM&E	703	Advanced Project Planning and Control	3						Fall 2014
CM&E	770	Construction Organizational Processes	3						Fall 2014
CM&E	785	Advanced Project Engineering and Management	3						Fall 2014
HIST	464	Imperial Spain	3						Fall 2014
IME	766	Robust Design Methods	3						Fall 2014
MPH	735	Principles of Infectious Disease Management I	3						Fall 2014
MPH	736	Principles of Infectious Disease Management II	3						Fall 2014
NURS	210	Orientation to Research and Evidence-Based Practice	2						Fall 2014
NURS	289	Transition from Associate LPN to BSN	2						Fall 2014
NURS	410	Research and Redesign	2						Fall 2014
Course Deletion									
HNES	788	Technology in Athletic Training	3						Summer 2014
Course Changes									
From:				To:					
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term	
CE	456/656	Railroad Planning and Design	2	CE	456/656	Railroad Planning and Design	3	Fall 2014	
CE	461/661	Foundation Engineering	2	CE	461/661	Foundation Engineering	3	Fall 2014	
CM&E	403/603	Scheduling and Project Control	4	CM&E	403/603	Scheduling and Project Control	3	Fall 2014	
CM&E	611	Construction Cost Estimating	4	CM&E	711	Construction Cost Estimating	3	Fall 2014	
CM&E	612	Construction Management	3	CM&E	712	Construction Management	3	Fall 2014	
CM&E	625	Decision Making and Risk Analysis	3	CM&E	725	Decision Making and Risk Analysis	3	Fall 2014	
CM&E	701	Construction Technology and Equipment	4	CM&E	701	Construction Technology and Equipment	3	Fall 2014	
NURS	406	Public Health Nursing	4	NURS	406	Community and Public Health Nursing	4	Fall 2014	
PHRM	581	Advanced Pharmacy Practice Experience I	10	PHRM	581	Advanced Pharmacy Practice Experience I	9	Fall 2014	
PHRM	582	Advanced Pharmacy Practice Experience II	15	PHRM	582	Advanced Pharmacy Practice Experience II	16	Fall 2014	

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions				
Subject	No.	Title	Prerequisite/Corequisite Change	
COMM	381	Patient-Provider Communication	COMM professional plan majors or minors; RC, RS, MLS,	Fall 2014
HDFS	350	Fundamentals of Hospital Child Life	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	353	Children, Families, and Public Policy	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	357	Personal and Family Finance	HDFS and WGS Majors and Minors and FACS Majors only	Fall 2014
HDFS	424	Observation and Assessment of Children	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	425	Risk, Resilience, and Competence in Children and Adolescents	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	430	Topics in Cognitive Development	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	435	Topics in Socioemotional Development	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	448	Issues in Sexuality	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	462	Methods of Family Life Education	HDFS and WGS Majors and Minors and FACS Majors only	Fall 2014
HDFS	468	Families and Work	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	477	Financial Counseling	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	478	Financial and Consumer Issues of Aging	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	481	Gender and Aging	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	482	Family Dynamics of Aging	HDFS and WGS Majors and Minors only	Fall 2014
HDFS	485	Capstone Experience in Human Development and Family Science	HDFS and WGS Majors and Minors only	Fall 2014
MATH	782	Mathematical Methods in Physics I	Change in Bulletin Description Delete all existing prerequisites/corequisites	Fall 2014
MRKT	430	Sales and Personal Selling	Coreq: MRKT 320; College of Business professional major or	Fall 2014
PHYS	752	Mathematical Methods in Physics I	Change in Bulletin Description	Fall 2014
New Special Topics (For Information Only)				
NURS	399	Childbearing/Childrearing Family II		3 Fall 2014
NURS	399	Transcultural Health Care		1 Fall 2014

Faculty Senate Minutes

Policy Change Cover Sheet

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



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

SECTION: 130 Annual Leave

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

- Is this a federal or state mandated change? Yes No
- Describe change: Change is due to legal concerns regarding ND administrative code 46-02-07-01.12 on required payout of annual leave.

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

- Human Resources/Payroll 1/31/14
- Brittnee.Steckler@nds.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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North Dakota State University Policy Manual

SECTION 130 ANNUAL LEAVE

SOURCE: NDUS Human Resources Policy Manual, Section 6
NDSU President

1. Annual leave with pay is earned by eligible employees for the purpose of freeing them from their regular duties to spend time in rest and recreation or to attend to personal matters. Upon approval, annual leave may only be used in place of regularly scheduled work hours and shall not cause overtime. Such leave should be programmed to insure that leave is taken rather than carried forward from year to year.
2. University operations govern annual leave periods. Consideration is given first to the convenience of the administration, departmental needs, then the employee's departmental seniority and finally to the employee's preference. Annual leave is computed on the basis of the employee's hours/week, and months/year.
 - 2.1 The employee must obtain authorization from his/her department head before taking annual leave. The form of this authorization is to be determined by the respective department head.
 - 2.2 The employee is responsible for furnishing their supervisor or department head with a completed "Notification of Employee Leave" card upon returning to work.
3. Annual leave with pay for full-time benefited, broadbanded staff employees is earned on the basis of continuous service from date of employment as follows:

First through third year - the equivalent of 12 days per year
Fourth through seventh year - the equivalent of 15 days per year
Eighth through twelfth year - the equivalent of 18 days per year
Thirteenth through eighteenth year - the equivalent of 21 days per year
Over eighteen years - the equivalent of 24 days per year

Annual leave for full-time, non-banded employees in the following job categories is earned on the same basis as for staff employees: graduate research fellows (2230), graduate teaching fellows (2235), post doc research fellows (2240), research scientists (2420), extension program assistants (2530), and international exchange scientists (2810).

Graduate teaching, research or service assistants and experiment station project assistants do not earn annual leave.

- 3.1 Years of service shall be computed from the employment anniversary dates.
- 3.2 Annual leave for part-time staff employees and the non-banded employees identified above in 3 is earned on a prorated basis.

Faculty Senate Minutes

4. Presidents, executive deans, provosts, vice presidents, positions excluded from the broadbanding system, and other positions approved by the President or chancellor at the time of hire are entitled to accrue a minimum of twelve working days and a maximum of 24 working days of annual leave each year to be taken at the convenience of the administration. Accrual rates for these employees are determined by the institution president. For any of these employees who are less than full-time, the annual leave will be prorated.

Each department may negotiate annual leave accrual on a case-by case basis during the recruitment, with prior Presidential approval. Current benefitted employees are not eligible.

5. Annual leave for 12 month faculty and other non-banded job categories not identified in #3 above is earned at the rate of 16 hours per month, 24 days per year. Annual leave will be prorated for those who are less than full-time. For non-banded employees on 9, 10, or 11, month appointments, see Section 320.
6. All eligible employees may accumulate annual leave hours. Full-time employees may accumulate up to 30 working days or 240 hours which shall be carried forward on January 1st of each year. Part-time employees may accumulate up to the equivalent number of days or hours on a prorated basis. Any accumulation in excess of 30 days or 240 hours (or the equivalent on a prorated basis for part-time employees) on December 31st of each year shall be cancelled.
7. All employees eligible to accumulate annual leave must take at least forty hours (or the equivalent on a prorated basis for part-time employees) of annual leave each year, except for the year during which they are hired.
8. When a holiday occurs during annual leave, the holiday is not considered a day of annual leave time.
9. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll, an employee may be granted annual leave in advance of the accumulation thereof.
10. Benefitted employees terminating employment must be paid for earned unused annual leave subject to all approved payroll matched reductions/deductions. "Unused annual leave" shall include any leave carried over from the previous year and all accrued leave up to the date of termination. Proper termination notice must be given and any unearned annual leave taken shall be deducted from the employee's last paycheck.

~~10.1 In circumstances where an employee is paid entirely from nonappropriated sources, the unit head and the appointee may agree in writing, prior to the beginning of the appointment, that the annual leave will be used during the period of appointment and that any unused portion will be forfeited at its conclusion.~~

~~In the absence of such a written agreement, the supervisor is responsible to assure that there is adequate money available for those sources to cover the payment for unused annual leave at the time of the employee's termination.~~

~~10.2~~ 10.1 Annual leave earned by an employee on a limited term 12 month appointment (for example, interim administrative appointments or rotating department chair appointments)

Faculty Senate Minutes

may not be carried forward by the employee to be used or paid for during the term of a subsequent appointment for less than 12 months.

There are two options at NDSU for addressing annual leave accrual during limited 12-month appointments:

~~10.2.1~~ 10.1.1 The unit head and the appointee may agree in writing, prior to the beginning of the limited 12-month appointment, that the annual leave will be used during the period of the 12-month appointment and that any unused portion will be forfeited at its conclusion.

~~10.2.2~~ 10.1.2 Absent such a written agreement, for limited term 12-month appointments beginning April 1, 1998, or thereafter, the unused annual leave hours shall be paid out at the conclusion of the limited 12-month appointment.

11. In case of death, payment of all earned, unused annual leave shall be paid according to Section 34-01-12 of the North Dakota Century Code. (See Section 183.)
12. Accrued annual leave for employees previously employed with other North Dakota institutions or agencies may be transferred to institutions under the State Board of Higher Education according to agreements between the employee and the institution. If re-employment occurs within one calendar year, the re-employing institution shall credit the employee with prior years of service from any state agency in computing annual leave accrual rate.
13. When employment begins or ends during a pay period, the accrual of annual leave shall be prorated for the pay period when the employee is hired or terminated and does not work a full pay period.
14. "Notification of Employee Leave" cards are processed on an on-going basis. Each department is responsible for verifying the Departmental Leave Record. Late Leave Cards and errors must be submitted to the Office of Human Resources/Payroll for entry and/or correction.

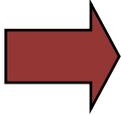
HISTORY:

New	July 1990
Amended	April 1996
Amended	March 1998
Amended	October 1999
Amended	April 2002
Amended	October 2003
Amended	March 2006
Housekeeping	April 2010
Housekeeping	May 15, 2012
Housekeeping	April 11, 2013
Housekeeping	July 12, 2013

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Policy Change Cover Sheet

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

SECTION: **Policy Number and Name**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandated change? Yes No
 - Describe change: *This policy change expands the assessment of teaching to include input from the individual faculty member as well as peers while simultaneously clarifying the information collected from students. This current version modified language for clarity.*
2. **This policy was originated by (individual, office or committee/organization):**
 - *Faculty Senate Policy 332 Ad Hoc Committee*
 - *Chris.Ray@nds.edu*

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

Faculty Senate Minutes

North Dakota State University Policy Manual

SECTION 332

ASSESSMENT OF ~~COURSES AND INSTRUCTION~~ TEACHING

SOURCE: NDSU Faculty Senate Policy

1. INTRODUCTION

1.1. The purposes of this policy ~~are~~ is to provide direction for faculty-instructors in their ongoing efforts to improve the quality of instruction, ~~and to improve and~~ student learning, ~~for at~~ North Dakota State University. Four guiding principles are emphasized in this policy concerning the purpose of assessment of teaching effectiveness: (1) to clarify and reflect what is meant by teaching effectiveness, including the demonstration of teaching effectiveness; (2) to emphasize the improvement of teaching and learning; (3) to utilize a holistic approach that triangulates the measurement of teaching effectiveness; and (4) to minimize possible forms of bias such as student motivation and student or instructor demographics.

1.2. Definition of Instructors

1.2.1. For the purpose of this policy, instructors include all individuals, regardless of faculty status (e.g., probationary, tenured/tenure-track, and non-tenure-track faculty, instructors, and graduate teaching assistants) who serve in any teaching capacity as defined below.

1.3. Definition of Teaching

~~1.1.1.~~ 1.3.1. The assessment process reflected in this policy includes all forms of teaching (e.g., classrooms, labs, online environments, and other instructional supervision activities) at all levels (e.g., undergraduate and graduate). Particular approaches to teaching vary widely, and instructors may demonstrate pedagogical skills in a variety of creative and innovative ways, all of which should be given due consideration.

1.4. Sources of Evidence

1.4.1. The triangulation approach to measuring teaching effectiveness should include data collected from the instructor (see section 2), students (see section 3), and peers (see section 4).

1.4.2. The faculty or instructional staff for each academic unit will decide what specific sources of evidence are appropriate for the unit.

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2. INSTRUCTOR-PROVIDED MATERIALS

- 2.1. Individual academic units should develop a flexible approach to assessment of teaching effectiveness that includes collection of evidence submitted directly by the instructor. It is recommended that this evidence be submitted in the form of a teaching portfolio according to criteria and frequency of review established by the academic unit.
- 2.2. In addition to the materials submitted for comprehensive peer review (see section 4), the instructor-provided materials may include, but ~~is~~are not limited to, reflective statements concerning the instructor's philosophy of teaching, teaching effectiveness, and course or curricular changes made as a response to teaching assessments; teaching materials developed by the instructor; video recordings of instructional activities; evidence of scholarly activity related to teaching and learning; evidence of student learning; data from knowledgeable peers; evidence of quality advising; and additional feedback from students.

~~2.~~

~~3. Formative Assessment~~

- 2.3. ~~During each academic year~~Additionally, the instructor will assess instruction ~~in at least one class~~ by soliciting information from students, peers, or both, for the primary purpose of improving instruction. Assistance in selecting appropriate assessment techniques is available from the NDSU Office of Accreditation, Assessment, and Academic Advising. While information from such formative assessments is considered property of the instructor and should not be shared without the instructor's consent, Faculty Senate Assessment Committee. ~~C~~ompletion of formative assessments will be noted in annual reports.
- 2.4. Any materials identified by the instructor as relevant to his or her instructional responsibilities should be considered in the teaching evaluation process.

~~3.1.~~

3. STUDENT INPUT

~~4.~~ Summative Evaluation

- 3.1. In accordance with NDUS policy 605.1.6, which states that "evaluations of all teaching faculty must include significant student input," all instructors must be assessed regularly by students in a manner appropriate to the instructional role.
- 3.2. University-Wide Course Rating Forms
 - 3.2.1. Every section of every class offered at North Dakota State University will be ~~assessed~~evaluated each term by the students using, as a minimum, the university-wide set of rating items. This set of ratings should consist of items that students are qualified to judge, such as ~~These items will evaluate~~ student perception of instructor fairness within the course, perception of overall course quality and usefulness, student understanding of the ~~principles in the~~ subject matter upon course completion, and the

Faculty Senate Minutes

instructor's ability to communicate effectively. In addition, each instructor, unit, or college ~~may is encouraged to~~ develop additional items to include as a part of the ~~evaluation~~course assessment form as appropriate to the academic discipline.

~~4.1.1.~~

~~3.2.2.~~ Departments are encouraged to may utilize an electronic course assessment process as an alternative to paper assessments. Departments may using the electronic course assessment process should contact the Group Decision Center (GDC) to have the university-wide rating form set up electronically. Data on only the university-wide items, aggregated by course level (lower division, upper division, graduate) without reference to specific courses, will be forwarded to the Office of Institutional Research and Analysis.

~~3.2.3.~~ 2.2 ~~The university-wide course evaluation assessment should will~~ occur during the final ~~fourth-quarter~~ of the term, but not concurrent with examination periods. Someone other than the instructor, ~~(including Graduate Teaching Assistant's, or other individuals under the direct supervision of the instructor)~~ will administer the instrument. ~~If administered in paper format during a class session, a student in the classthe aforementioned individual~~ shall collect the ~~evaluations assessments~~ and forward them directly to the appropriate department/unit ~~head-office~~ for analysis. The instructor will not be present while the student rating is being completed. All instructors will receive a copy of the analysis for their courses after final grades are submitted. The departmental/unit office ~~and the dean's office~~ will retain a copy of the analysis ~~for use during the annual faculty appraisals and for other administrative purposes.~~

~~3.2.4.~~ The assessment form should indicate that student responses to the university-wide rating form may be used for evaluative purposes concerning personnel decisions including tenure, promotion, and salary decisions.

~~4.1.2.~~ Items on the university-wide rating form are subject to approval by the NDSU Faculty Senate and should be examined and controlled for student motivation and other possible forms of bias. Departments are encouraged to utilize an electronic evaluation process as an alternative to paper evaluations. Departments must contact the Group Decision Center (GDC) to have a Student Rating of Instruction set up electronically The department/unit head will forward data, on only the university wide items, aggregated by course level (lower division, upper division, graduate) without reference to specific courses, to the Office of Institutional Research and Analysis.

~~4.1.3.~~

~~3.2.5.~~ 2.3

~~3.2.6.~~ All courses ending in 90-series numbers will be exempt from this ~~procedure~~policy concerning the university-wide rating form.

3.3. Additional Student Input

3.3.1. At the discretion of the instructor, other student input may be used to supplement the university-wide ratings. Such supplemental evidence may include, but is not limited to, written comments on the university-wide rating form, student feedback in the form of exit

Faculty Senate Minutes

interviews solicited by the department/unit head or immediate teaching supervisor, or other information voluntarily provided by students.

4. PEER REVIEW OF TEACHING

- 4.1. In addition to assessment data provided by students, each academic unit should conduct a critical peer review of the instructor's range of teaching activities. The faculty or instructional staff for each academic unit will decide how this peer review should be conducted, including determining requirements for appropriate reviewers and frequency of review.
- 4.2. For all instructors, this peer review process should include the instructor's knowledge of the subject matter, contributions to the unit's teaching efforts, and any other teaching contributions such as curricular improvements. Materials for peer review may include, but are not limited to: statement of teaching philosophy; observation of classroom performance; course syllabi, including course objectives; sample instructional materials, assignments, and examinations; development of new or innovative course materials; cumulative list of courses taught by the instructor; student research supervised by the instructor, including theses and dissertations; receipt of teaching awards; and materials advancing the scholarship of teaching and learning in the instructor's academic discipline.
- 4.3. This peer-review process should be conducted in a manner appropriate to the academic discipline and ~~should~~ may include consideration of instructional activities occurring both within and outside the formal classroom such as traditional instruction, supervision of student research, laboratory instruction, advising, mentoring, and other activities related to student learning.

HISTORY:

New	December 10, 1973
Amended	April 1992
Amended	June 1994
Amended	January 2004
Amended	July 2, 2009
Housekeeping	February 14, 2011

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Policy 332 *Ad Hoc* Committee Selected Literature

Assessment of Teaching Effectiveness (General)

- Boyer, E. L. (1990). *Scholarship reconsidered: Priorities of the professoriate*. Princeton, NJ: Carnegie Foundation for the Advancement of Teaching.
- Brinko, K. T. (1993). The practice of giving feedback to improve teaching: What is effective? *Journal of Higher Education*, 64, 574-593.
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- Glassick, C. E., Huber, M. T., & Maeroff, G. I. (1997). *Scholarship assessed: Evaluation of the professoriate*. Princeton, NJ: Carnegie Foundation for the Advancement of Teaching.
- Knapper, C., & Wright, W. A. (2001). Using portfolios to document good teaching: Premises, purposes, practices. *New Directions for Teaching and Learning*, 88, 19-29.
- Paulsen, M. B. (2002). Evaluating teaching performance. *New Directions for Institutional Research*, 114, 5-18.
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- Zerihun, Z., Beishuizem, J. & Van Os, W. (2012). Student learning experience as an indicator of teaching quality. *Educational Assessment, Evaluation, and Accountability*, 24(2), 99-111.

Student Assessment of Teaching

- * Abrami, P. C., Theall, M., & Mets, L. A. (2001). The student ratings debate: Are they valid? How can we best use them? *New Directions for Institutional Research*, 109. [Entire volume.]
- Cashin, W. E. (1995). *Student ratings of teaching: The research revisited*. IDEA Paper No. 32, Kansas State University Center for Faculty Evaluation and Development.
- Cohen, P. A. (1981). Student ratings of instruction and student achievement: A meta-analysis of multi-section validity studies. *Review of Educational Research*, 51(3), 281-309.
- McKeachie, W.J. (1997). Student ratings: The validity of use. *American Psychologist* 52(11), 1218-1225.
- Obenchain, K.M., T.V. Abernathy, and L.R. Wiest. 2001. The reliability of students' ratings of faculty teaching effectiveness. *College Teaching* 49(3), 100-104.

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Fargo, ND 58108

North Dakota State University

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Attachment 4

Onwuegbuzie, A. J., Witcher, A. E., Collins, K. M. T., Filer, J. D., Wiedmaier, C. D., & Moore, C. W. (2007). Students' perceptions of characteristics of effective college teachers: A validity study of a teaching evaluation form using a mixed-methods analysis. *American Educational Research Journal*, 44, 113–160.

Otani, K. Kim, B. J., & Cho, J. (2012). Student evaluation of teaching (SET) in higher education: How to use SET more effectively and efficiently in public affairs education. *Journal of Public Affairs Education*, 18(3), 531-544.

*Penny, A. R. (2003). Changing the agenda for research into students' views about university teaching: Four shortcomings of SRT research. *Teaching in Higher Education*, 8, 399–411.

* Spooren, P., Brockx, B. & Mortelmans, D. (2013). On the validity of student evaluations of teaching: The state of the art. *Review of Educational Research*, 83(4), 598-642.

Peer Review of Teaching

Bell, A., & Mladenovic, R. (2008). The benefits of peer observation of teaching for tutor development. *Higher Education*, 55, 735–752.

Brinko, K. T. (1993). The practice of giving feedback to improve teaching: What is effective? *Journal of Higher Education*, 64, 574–593.

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Cohen, P. A., and McKeachie, W. J. (1980). The role of colleagues in the evaluation of college teaching. *Improving College and University Teaching*, 28(4), 147–154.

Donnelly, R. (2007). Perceived impact of peer observation of teaching in higher education. *International Journal of Teaching and Learning in Higher Education*, 19, 117–129.

Hammersley-Fletcher, L., & Orsmond, P. (2004). Evaluating our peers: Is peer observation a meaningful process? *Studies in Higher Education*, 29, 489–503.

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* Thomas, S. & Chie, Q. T. (2014). A qualitative review of literature on peer review of teaching in higher education: An application of the SWOT framework. *Review of Educational Research*, 84(1), 112-159.

Trujillo, J. M., DiVall, M. V., Barr, J., Gonyeau, M., Van Amburgh, J. A., Matthews, S. J., & Qualters, D. (2009). Development of a peer teaching-assessment program and a peer observation and evaluation tool. *American Journal of Pharmaceutical Education*, 72(6): 1-9.

Faculty Senate Minutes

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, A. Denton, M. Engler, J. Gao, R. Green, T. Hall, C. Hargiss, J. Harmon, C. Hawley, E. Hilliard, F. Huseynov, X. Jia, J. Jones, W. Lin, F. Littman, T. Lundeen, C. Platt, B. Bruess, S. Sather-Wagstaff, G. Shen, B. Suzen, R. Sylvester, L. Thomas, E. Wu, Y. Nan and P. Zhao

Substitutions: M. Borr for S. Duffield, D. Terbizan for L. Manikowske, and Y. Wang for A. Tangpong

I. Approval of Minutes

MOTION: (Sather-Wagstaff/Hall): to approve minutes of the March 10, 2014, Faculty Senate meeting as distributed. MOTION CARRIED WITH UNANIMOUS CONSENT.

II. Consent Agenda

- a. Academic Affairs Report ([Attachment 1](#))
- b. Confirmation of December 2013 Graduates ([Attachment 2](#))
- c. Informational Policy Changes
 - 1) Policy 331.1 - Course Syllabus ([Attachment 3](#))
 - 2) Policy 333 - Class Attendance ([Attachment 4](#))

MOTION: (Sather-Wagstaff/Terbizan): to approve Consent Agenda as posted. MOTION CARRIED WITH UNANIMOUS CONSENT.

III. General Announcements

- a. H. Hatterman-Valenti, President of Faculty Senate
 - Three candidates have been nominated for Council of College Faculty (CCF); A campus wide vote will occur.
 - A survey from the president-elect for CCF was sent last week for an in-state faculty conference; faculty are encouraged to respond if they would like to attend.
- b. B. Pruess, President-Elect of Faculty Senate –
 - Reminder of Gunkelman award ceremony on Wednesday, May 7th, 3:30 pm, Alumni Center; 30 individuals have been nominated.
 - Budget committee meeting discussions regarding the future of the ND SBHE. Exploring potential to bring in experts to discuss the ballot impacts and encourage an informed vote. Could coordinate efforts to host an event with Staff Senate and Student Government. Email B. Pruess with suggestions; discussion to also occur at Senate Coordinating Council (SCC).

IV. Senate Committee Reports

- a. *Academic Affairs* –
 - J. Bitzan presented a new course, STAT 473/673: Actuarial Statistical Risk Analysis, which was not on the consent agenda because it was approved by

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Academic Affairs after the Executive Committee meeting set the agenda for the April Faculty Senate meeting.

MOTION (Sather-Wagstaff/Jones): to approve the course addition.
MOTION CARRIED WITH UNANIMOUS CONSENT.

b. *Council of College Faculties -*

E. J. Miller provided an overview of the Open Textbook Resolution initiative, which is a part of the ND legislature and SBHE. Open source materials expand resources available to students. The SBHE has responded to legislative action to encourage use of open source materials on campuses. CCF is supportive of the benefits to students, including lowering the costs of materials.

The following CCF resolution affirms faculty prerogative in selection of course materials. CCF is seeking endorsement by all NDUS faculty senates.

CCF Resolution:

The CCF recognizes technological advances may influence how we traditionally view the educational process, and asks the legislature to proactively support open resource initiatives with funding. The CCF affirms that faculty should be sensitive to the rising costs of textbooks whenever possible. However, the CCF affirms that the choice of textbooks and any other course-related materials must be faculty-based and at the faculty member's discretion for provision of the best course possible; the CCF requests the legislature and the SBHE affirm this statement.

MOTION (Sather-Wagstaff/Hall): to endorse the CCF Open Textbook Resolution. MOTION CARRIED WITH UNANIMOUS CONSENT.

c. *General Education/Accreditation – (Attachment 8)*

A. Rupiper-Taggart outlined several revisions in CULE Learning Outcomes, including edits to Diversity and Global Perspectives and Natural and Physical Worlds, as the outcomes suit a diverse range of disciplines. Discussion regarding Technology outcomes and if additional outcomes are needed to determine students' understanding of technology. The CULE committee will discuss feedback.

MOTION (Sather-Wagstaff/Shen): to approve the CULE outcome updates for Diversity and Global Perspectives and Natural and Physical Worlds.
MOTION CARRIED WITH UNANIMOUS CONSENT.

d. *Senate Coordinating Council -*

H. Hatterman-Valenti shared Policy 601 - Rights and Responsibilities of Community: A Code of Student Conduct ([Attachment 5](#))

MOTION (Sather-Wagstaff/Hall): to approve Rights and Responsibilities of Community: A Code of Student Conduct.

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Further discussion resulted in a request for representation from the Dean of Student Life office to discuss changes to the Code of Student Conduct. Action tabled until next meeting.

MOVE TO RECONSIDER ORIGINAL MOTION AND TABLE

(Benson/Hawley): to table approval of Rights and Responsibilities of Community: A Code of Student Conduct. MOTION CARRIED WITH UNANIMOUS CONSENT.

V. Unfinished Business

- a. H. Hatterman-Valenti indicated the Ombudsperson will start on May 30; R. Green will arrange for visits during the Ombudsperson's visit to campus prior to May 30. Email R. Green for additional information.
- b. H. Hatterman-Valenti announced the last Provost candidate's open forum is on Thursday, April 17th; take advantage of the open forum and provide feedback.

VI. New Business

- a. Faculty Senate Meeting Dates for 2014-2015 ([Attachment 6](#))
MOTION (Sather-Wagstaff/Jia): to approve Faculty Senate meeting dates for 2014-2015. MOTION CARRIED WITH UNANIMOUS CONSENT.
- b. SCoFR Proposed Bylaw Revisions ([Attachment 7](#))
R. Sylvester, Chair, shared Section IX, Article IV, expanding details regarding membership and terms of service. Bylaws will be voted on at May 2014 Faculty Senate meeting.

MOTION (Sather-Wagstaff/Platt): to bring proposals forward at May 2014 Faculty Senate meeting. MOTION CARRIED WITH UNANIMOUS CONSENT.
- c. Provost Search
Sather-Wagstaff requested a Provost Search timeline update. Krishnan indicated by late April/early May the President would make a decision.
- d. Faculty Senate President Elect
H. Hatterman-Valenti indicated she has not received any nominations to date. T. Stone Carlson indicated Faculty Senate President receives one course release or funding for one assistant for two years (President and Past President). Funds are also made available for leadership/training conferences.

VII. Adjournment

Meeting adjourned at 4:18 pm.

Submitted,

Rhonda Kitch, M.S.
Substituting Secretary, Faculty Senate

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Fargo, ND 58108

North Dakota State University

April 14, 2014

Academic Affairs Committee Report

Attachment 1

Approved Curricular Recommendations

New Courses				
Subject	No.	Title	Crs.	Effective Term
CJ	764	Punishment and Society	3	Fall 2014
HNES	765	Orthopedic Appliances	3	Spring 2015
Course Deletion				
BIOL	440/640	Biotechnology and Ethics	2	Fall 2014
BIOL	730	Growth Biology	3	Fall 2014
BOT	380L	Plant Physiology Laboratory	1	Fall 2014
CM&E	310	Construction Quality Control Management	2	Fall 2014
CM&E	385	Construction Safety	2	Fall 2014
EDUC	460/660	Career Development	3	Fall 2014
EDUC	744	Administration of the Middle School	2	Fall 2014
EDUC	748	Collective Bargaining and Negotiation in Education	2	Fall 2014
EDUC	785	Organization and Administration of Vocational/Technical Education	2	Fall 2014
H&CE	341	Leadership and Presentation Techniques	3	Fall 2014
H&CE	777	Evaluation in Family and Consumer Sciences	2	Fall 2014
HD&E	720	Interdisciplinary Approaches/Human Development	3	Fall 2014
HDFS	425	Risk, Resilience and Competence in Children and Adolescents	3	Fall 2014
HDFS	472	Family Trauma and Burnout	2	Fall 2014
HDFS	474	How Women Changed America	2	Fall 2014
HDFS	476	Child Exploitation and Abuse	2	Fall 2014
HDFS	479	Children as Witnesses: Assessing the Issues	2	Fall 2014
HDFS	485	Capstone Experience in Human Development and Family Science	3	Fall 2014
HDFS	624	Observation and Assessment of Children	3	Fall 2014
HDFS	625	Risk, Resilience and Competence in Children and Adolescents	3	Fall 2014
HDFS	662	Methods of Family Life Education: Models of Family Crisis and Wellness	3	Fall 2014
HDFS	668	Families and Work	3	Fall 2014
HDFS	785	Family Theory	3	Fall 2014
HNES	113	Activity III	1	Fall 2014
HNES	132	Ultimate Frisbee	1	Fall 2014
HNES	133	Volleyball	1	Fall 2014
HNES	137	Tennis	1	Fall 2014
HNES	138	Flag Football	1	Fall 2014
HNES	225	Camp Management and Outdoor Recreation Skills	3	Fall 2014
HNES	270	Current Issues in Nutrition	3	Fall 2014
HNES	483	Community Sports Internship	9	Fall 2014
HNES	487	Athletic Training Organization and Administration	3	Fall 2014
HNES	488	Clinical Experience V	1	Fall 2014

HNES	489	Athletic Training Capstone Experience	1	Fall 2014
HNES	631	Governance in Sport	3	Fall 2014
HNES	702	Sport Marketing and Public Relations in HNES	3	Fall 2014
HNES	717	Recreation and Sport Complex Management	3	Fall 2014
HNES	719	Wellness and Leisure In Adults	3	Fall 2014
MATH	728	Linear Algebra I	3	Fall 2014
MATH	729	Linear Algebra II	3	Fall 2014
MATH	731	Graph Theory II	3	Fall 2014
MATH	737	Discrete Mathematics II	3	Fall 2014
MATH	751	Analysis II	3	Fall 2014
MATH	753	Complex Analysis II	3	Fall 2014
MATH	755	Functional Analysis II	3	Fall 2014
MATH	772	Number Theory I	3	Fall 2014
MATH	773	Number Theory II	3	Fall 2014
PHYS	351	Mechanics I	3	Fall 2014
PHYS	352	Mechanics II	3	Fall 2014
PSYC	474	Behavior Analysis in Developmental Disabilities	3	Fall 2014
ZOO	472/672	Fisheries Biology	3	Fall 2014
ZOO	474/674	Fisheries Management	3	Fall 2014
ZOO	864	Neuroendocrine and Endocrine Systems	3	Fall 2014

Course Changes

<i>From:</i>				<i>To:</i>				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
ADHM	403	Resort and Spa Operations	3	ADHM	403	<i>Resort Development and Management</i>	3	Fall 2014
MATH	725	Theory of Rings II	3	MATH	725	<i>Theory of Rings</i>	3	Fall 2014
MATH	730	Graph Theory I	3	MATH	730	<i>Graph Theory</i>	3	Fall 2014
MATH	736	Discrete Mathematics I	3	MATH	736	<i>Discrete Mathematics</i>	3	Fall 2014
MATH	750	Analysis I	3	MATH	750	<i>Analysis</i>	3	Fall 2014
MATH	752	Complex Analysis I	3	MATH	752	<i>Complex Analysis</i>	3	Fall 2014
MATH	754	Functional Analysis I	3	MATH	754	<i>Functional Analysis</i>	3	Fall 2014
MATH	788	Numerical Analysis I	3	MATH	788	<i>Numerical Analysis</i>	3	Fall 2014
NURS	402	Mental Health Nursing	5	NURS	402	Mental Health Nursing	4	Spring 2015
PHRM	700	Chronic Illness	3	<i>MPH</i>	700	Chronic Illness	3	Fall 2014
PHRM	705	Global Health	3	<i>MPH</i>	705	Global Health	3	Fall 2014

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions

Subject	No.	Title	Prerequisite/Corequisite Change
COMM	200	Introduction to Media Writing	Change in Bulletin Description
COMM	310	Advanced Media Writing	Change in Bulletin Description
MATH	785	Partial Differential Equations II	Change in Bulletin Description Prereq: MATH 784

April 14, 2014

***College of Agriculture, Food Systems, and
Natural Resources***

Certificate

Jenna Jean Vanatta

Bachelor of Science

Riley Scott Adams
Haley Marie Arth
Senthuran Atputhanathan
Matthew Thomas Baustad
Jacob Hunter Boyd
Adam Braegelmann
Theodore Warren Brandt
Cody Edward Brantner
Scott Daniel Brossart
Stephen Michael Brown
Kara Ann Burrer
Steven Allen Carlsen
Diane Marie Carlson
Woo-Sik Choi
Derek Samuel Christensen
William Richard Clayton
Ferin Lee Davis
Kenya Duchsherer
James David Duletski
Luke Benjamin Fellbaum
Brianna Lynn Fiala
Mitchell William Field
Tyler Jeffrey Fougner
Thomas Calvin French
Haley Marie Furchner
Denielle L. Glas
Ryan Alan Grieger
Jenna Lynn Gross
Andrew Jacob Grothmann
Andrew McKinley Grotte
Devan Janz Hafner
Adam Hamilton
Bryce Allen Haugrud
Jared Michael Haverland
Michael Gene Heinrich
Travis Lee Hinnenkamp
Katherine Ann Houdek
Desiree Jean Johnson
John O. Johnson
Whitney Ann Junker
Nicholas Clarence Kirick

Breana Sue Kiser
Allison Kay Kopesky
Charles Nathaniel Kuismi
Milo Philip Lake
Kathryn Armstrong Law
Nancy Jo Leier
Ryan Romain Lunser
Jimmy Cliff Mathenge
Doug Patrick McNamee
Matthew Scott Mittag
Kristen Rebecca Mlodzik
Kasey James Naumann
Brandon Morgan Neilly
Jared Brent Nelson
Michael Jordan Nelson
Tracy Leigh Nelson
Sara Mallory Ness
Joshua Bradley Nims
Nicholas R. Opdahl
Nathan Ray Paler
Tanner Eugene Perhus
Thomas Joseph Peterson
Sean Andrew Polley
Charles Michael Retterath
John Bradley Sandvig
Chelsey Lynn Schafer
Laura Marie Schlosser
Kaycie Nicole Schmidt
Brian Clay Sebring
Dustin Lee Simonson
Kathryn Lynn Smith
Matthew Scott Spiekermeier
Paul Michael Suckstorff
Meghan Susan Syrstad
Carlene Jean Ternes
Kelsie Lynn Ternes
Blake Marie Thilmony
Andrew Robert Thorson
Xiaodi Tian
Christopher John Tofsrud
Jordan Lee Tschida
Jenny Lynn Van De Bogart
Jenna Jean Vanatta
Shannon Marie Voges
Alexander Ryan Well
Adam Leslie Windjue
Andrew Blaine Winter
Vance Carter Zacharias
Jordan Alan Zillmer

**NORTH DAKOTA STATE UNIVERSITY
Winter 2013 Graduates**

Degree Conferral Date: December 20, 2013

Nicole Elizabeth Zimmerman
Nathan Robert Zinter
Samson David Zozimo

Master of Science

Aman Anand
Smita Duttasuman
Erjok Ayoor Apech Erjok
Danielle Mary Fiebelkorn
Samantha Ann Froelich
Aaron Robert Hoppe
Casey Ray Johnson
Samantha Lee Kaminski
Yue Li
Sarah Elizabeth Hall Lovas
Corie Beth Lund
Irene Roman
Dulan Pravinda Samarappuli
Amanda S. Schoch
Jaidev Sehrawat
Marit Simonson-Paschke
Kristopher Douglas Skadberg
Philip Lee Steichen
Kristin Lynn Whitney

Doctor of Philosophy

Wesam Abuhammad
Xuelian Bai
Leticia Elideth Camacho
Ana Maria Correa-Morales
Ronald Dorcinvil
Andrew John Friskop
Sumali Pandey
Krishna Datta Puri
Morgan Lee Russell
Courtney Wayne Simons
Kimberly Korthauer Zitnick

***College of Arts, Humanities, and Social
Sciences***

Bachelor of Arts

Hiroshi Terence Asato
Hannah Marie Dillon
Chelsea J. Fetch
Heather Madonna Flute
Colette Marie Kampa
Andrea Helen Kraft

Faculty Senate - Attachment 2

Luke Kenneth Oscar Kuha
Meredith Anne Kuntz
Tacye Elizabeth Pearson
Kristen Alicia Waldoock
Samantha Wickramasinghe

Bachelor of Fine Arts

Jasmyn Eileen Hirschert
Anna Christine Pieri
Benjamin Gilbert Wetzel

Bachelor of Music

Jace Stephen Beehler
Heather Marie Johnson
Alison Lynne Rigazio
Brendan Schultz

Bachelor of Science

Brock Anthony Ackerman
Breanna Rae Amundson
Brianna Kilene Bachmeier
Michael Jacob Baumgartner
Colton Alexander Berens
Peter Roy Berthelsen
Julie Anna Bienfang
Lauren Rae Bjork
Ian Charles Black
Carissa Marie Botton
Garrett Lee Bruhn
Erin Kay Busta
Erin Ann Butler
Emily Sue Carpenter
Amanda Marie Carson
Maison Elliott Davis
Kyle Stuart Emmel
Brittney Ann Engebretson
Christina Mae Everling
Aaron Dale Gnoinsky
Micah John Goebel
Philip Joel Gregory
Abbie Jean Groth
Elizabeth Catherine Gunderson
Kerry A. Helland
Jacob Dale Holm
Andrew Jacob Holmquist
Joshua Peter Horner
Mara Renae Howard
Myah Aileen Inskeep
Sarah Ann Ishaug

Brynn Leigh Joki
Seth Joseph Jones
James Joseph Kallod
Lindsey J. Kaufmann
Evan Jay Kjos
Peter Joseph Koepf
Peace Kpoobari Kpegeol
Elisabeth Anne Krabbenhoft
Pavithra Pushpamal Lamaheewa
Savannah L. Langer
Amy Marie Larson
John Robert Lindensmith
Michael Wayne Liudahl
Joshua Roman Lueck
Wade Michael Lundeen
Travis Scott McNamara
Brandon Michael Meske
Daniel Lawrence Meyer
Kelly Elizabeth Miller
Dane Sander Moss
Michael Mark Mulder
Nicole Ray Nelson
Jesse Dale Nessel
Cody Lee Nuenthel
Evan John Oby
Kalie A. Olson
Katherine Kay Olson
Michael Louis Paolini
Matthew James Paulsen
Delaney Caitlin Piercy
Jenna Ann Polejewski
Jayme Lynn Prokes
Andrew Michael Puckett
Hannah Sophia Reichel
Andrea Mychal Retterath
Amanda Rose Rieck
Christopher Lee Runge
Shawn James Samuelson
Rebecca Lynn Sandland
Amy Josephine Schaaf
Mark Joseph Schafer
Natalie Marie Schlager
Kierstin A. Schuch
Matthew Jon Siegel
Jesse M. Smith
Terran Bailey Smith
Jessica Marie Soucy
Andrew James Sprague
Stephanie Jean Stanislaw
Alicyn Nicole Stensaas
Valerie Marie Tescher-Elgenedy
Abednego Benedict Thomas

Jake Robert Tschida
David Allen Vining
Isaac Robert Ward
Jacob Byron Weess
Shane John Wehlage
Jessica Lynn Wickstrom
Paul Jeffrey Wilczek

Master of Arts

Kay Marie Beckermann
Alyson Lise Guthrie
Jessica Marie Rick

Master of Music

Lindsay Dawn Luetzen
Laura N. Odden
Lori Jean Paakh
Joel David Walters

Master of Science

Clarence Anthony Herz
Kelsey A. Keimig

Doctor of Musical Arts

Edwin Gerardo Aybar

Doctor of Philosophy

Sarah Jo Bundy
Mariama Yakubu

College of Business

Bachelor of Science

Kelsey Jo Adamsen
Mohammad Yousif Ahmad
Jared Thomas Aluise
Syver Kenneth Amundson
Brittani Ann Anderson
Alexander David Arel
Zachary David Behrens
Benjamin Neil Bergquist
Tyler John Bjornson
Tyler Jon Boll
Nicholas Robert Bruns
Joseph Cody Bunkowski
Janae Louise Burich
Brittany Lee Burns
Matthew Thomas Byers
Caitlin Marie Clark
Shiming Dai
Tyler Jon Dehne
Neal Allen Dittrich

Timothy David Dunn
Molly Alyssa Ekren
Lisa Jean Elijah
Kelli Kaye Emerson
Jace Matthew Fillner
Austin John Formo
Molly Lynn Granzow
Christopher Roy Hahn
Taylor Keith Harms
Tingting He
Brady Wayne Hefter
Elizabeth Jean Heikkila
Danton Michael Hein
Alexander John Hoffman
Adam Joseph Houkom
Chen Huang
Mara Liane Johnson
Adam Charles Kappes
Nicholas Martin Kelley
Nolan Mark Klinkhammer
Jacqueline Anne Knapp
Joshua Robert Kodet
Kelsey Lee Amelia Koepf
Kyle Mark Kronlokken
Ellen M. Kuechle
Jordan Frederick Kuntz
Amanda Rose Kunz
Brendan James Kurvers
Brett Derek Kusler
Derrick Terry Lang
Nolan Andrew Larson
Simon Heajin Lee
Brandon Gerald Leingang
Jared Ryan Lingbeek
Yasitha Randika Mawella
Alexander James Metzger
Courtland Perry Miller
Darius Donald Kambiz Montazemi
Logan Benjamin Mueller
Bennett Ray Nelson
Jonathan Christian Nelson
Matthew James Nelson
Seth Thomas Nicolai
Neil Alan Odum
Cole Bradley Olson
Timothy Scott Palmquist
Leif Hokan Pearson
John William Peterson
Randolph Dennis Peterson
Zachary Scott Peterson
Vi Thuy Phung
Krista Louise Ramstad

Adam Lawrence Regnier
Andrew Richards
Zachary Allen Rolighed
Logan Mathew Roth
Alison C. Sauer
Andrew Timothy Schell
Drew Charles Schmidgall
Alyssa Elise Schmidt
Luke Scott Schmitz
Steven Leland Schultz
Erin Lee Seaver
Brandon Lee Sehn
Michael Thomas Sigurdson
Kate Teresa Sims
Heather Lynne Smith
Andrew Songle
Ali Mohamud Sugule
Kirsten Marie Swenson
Asha Leigh Throntveit
Joseph Paul Tobritzhofer
Molly Elizabeth Torson
Jakob Benjamin Vachal
Anant Raj Vij
Benjamin Gerry Volk
Jason Wiltz
Jinting Wu
Linna Wu
You Wu
Chen Xing
Kimberly Lynn Zuroff

Master of Accountancy

Crystal Dawn Boyd
Ethan Carl Frank
Beverly Gayle Hirn
Aaron Adam Josephson
Krista M. Lambrecht
Andrew Maravillas Madsen
Brady Andrew Meyers
Kristin Nicole Renz Johnson
Justin Gerald Siemieniewski
Ryu Takagi
Benjamin Scott Thompson
Seyed Hamidreza Vakilzadeh
Maria Ann Waller
Xiaozhou Ye

Master of Business Administration

Matthew Alan Bagley
LeAnn Nicole Larson
Michael L. Nicholas
Kory Patrick Shae

College of Engineering

Bachelor of Science in Agricultural and Biosystems

Calby John Beckstrand
Lucas Aaron Laudenbach
Robert David Andrew Wolsky

Bachelor of Science in Civil Engineering

Dhanushka Sandaruwan Bandara
Joseph Roland Barthel
Caroline Alyse Bohn
Leonard Aun Chia
Daniel Jon Christenson
Benjamin Jon Cline
Shane Thomas Geraghty
Clifford K. Halvorson
Logan Albert Handyside
Sakaria Dahir Hashi
Michael Gary Hejna
Ryan Daniel Hoefs
Eric Paul Larson
Moamer M. Maslesa
Joseph Albert Reiter
Mckenzie John Robertson
Brandon Joshua Sailer
Amy Josephine Schaaf
Kyle Edward Sebesta
Tuguldur Shinezorig
Trevor Jeremy Sipma
Blake Edward Snyder
Scott Alexander Vedvei
Brady Kevin Wall
Amanda Marie Weber

Bachelor of Science in Computer Engineering

Ross Roman Eickhoff
Ryan James Klemisch

Bachelor of Science in Construction Engineering

Allan James Anderson
Logan Dallas Berg
Curtis Leroy Pederson

Bachelor of Science in Construction Management

Ryan James Christenson
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Michael F. Fischer
Travis James Golobich

Joel Nathan Peerman Gotta
Casey Aron Harling
Cory Andrew Jackson
Paul Steven Kratzke
Jonathan James Lawler
Patrick Charles Lecy
Dustin Michael Lemke
Scott Steven Nelson
Scott Allan Sanders
Jonathan Jordan Steen
Tomas Elmo Volstad

Bachelor of Science in Electrical Engineering

Nicholas Robert Aasand
Kassandra Nancy Almen
Keith D. Alsleben
Benjamin Todd Althoff
Matthew Richard Cota
Ryan James Drevlow
Steven Micheal Goldade
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Davis Patrick Heidrich
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Trevor Dean Overby
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Nicholas Martin Westra

Bachelor of Science in Industrial Engineering and Management

Stacy Ann Affield
Jeff M. Ambuehl
Damir Cavkusic
James Lee Christianson
Susith Gayan Dunukara Dunukara
Houchao Fu
Maxwell Elliot Brossart Johnson
Dustin Mark Messner
Garrett Joseph Nordling
Peder Alfred Nystuen
Ryan Sylvestre Tapper
Nicolas Todd Trcka
Nathen Jon Wellumson
Yuchu Yan
Mengyuan Zheng

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Colin King Askew
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Michelle Lee Davis
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Christopher Anthony Follette
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Eric Mauris Johnson
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Lekh Bahadur Malla
Tyler Karl Meyer
Heather Jean Myers
Paul David Nelson
Kyle Douglas Olason
William John Refling
Nicole Ann Reilly
Ryan Neil Rensink
Mickael Brent Stousland
Austin Reilly Sullivan
Adam James Tilly
Dustin Ryan Torgerson
Loren William Vanderhoff
Nathanial Jon Varty
Megan Velo
Morgan Anthony Vetter
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Jesse Andrew Williams
Joshua Theron Yapp

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Shay Reanne Dickman
Nicholas Michael Fiecke
Cory Richardson
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Mathew E. Baker
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Yidong Peng
Benedict Tetteh Shamo
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Haoran Wang
Ryan John Whitacre
Ye Yao
Meng Yu
Daluzhang
Tingting Zhou

Doctor of Philosophy

Iddrisu Awudu
Vinay Gonela
Md. Atikur Rahman
Sandip Kumar Suman

College of Graduate and Interdisciplinary Studies

Doctor of Philosophy

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Qing Liu
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Chipo Nsereko

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Gulzar Ushurova

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Bodini Jeevanthika Herath
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Felix Jacob Zamora

Master of Transportation & Urban Systems

Nam Hoai Nguyen

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Certificate

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Andrew D. Pritchard
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Emily Rose Harris

Bachelor of Science

Apryl Elaine Andersen
Hope Anderson
Simon James Anderson
Joanna Priscilla Arnold
Eric John Baird
Anthony Carter Baker
Tucker Wallace Bergmann
Brianna Elena Black
Teresa May BlackCloud
Jenna Lynn Boroughs
Katie Anelle Branby
Shannon Kim Brooks
Dustin Joseph Bruggeman
Amber Marie Carlson
Abby Kaye Corbett
Jill Ann Davis
Nyamal K. Dei
Megan Therese Doyle
Megan Nicole Ecklund
Signe Ann Nysveen Edison
Zachery Reese Eichler
Stephanie Kay Engelstad
Eric Lee Fauske
Katherine Jean Forward
Alyssa Lynn Gackle
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Caylee Amanda Hagemeyer
Ashley Ann Hall
Timothy M. Haugrud
Kale August Hedlund
Daniel James Heskin
Jaimee Rae Hirsch
Whitney Ann Hulm
Jeffrey David Hulme
Cole Barton Jirik

Lindsey Ann Johnson
Chase Franklin Kerber
Adam Ryan Kitchens
Tess Jennings Klemmer
Danielle Lucille Knodle
Ruth Ann Kranz
Emmalee Anna Larson
AnnaRene Margaret Lawler
Ashley Nicole Lynn Louks
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Timothy James Mehok
Steven David Monk
Jonathan David Moquist
Joseph M. Moravec
David E. Muhonen
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Jessica Leigh Nelson
Ashleigh Lauren Nesemeier
Miriam Anne Nickoloff
Cody Paul Nordick
Lauren Rene Olson
Michael Christopher Pajor
Leevon Xavier Perry
Ashley Marie Poppler
Celina Marie Poukka
Hawa Sebi Riji
Alexandra Kay Ringhofer
Jaimie Laura Roseen
Luke Daniel Saunders
Megan Roxanne Saunders
Kaitlyn Ann Scheid
Marcus Anthony Sickler
Brooke Ann Simonson
Laura Ann Simonson
Rachel Anne Spohr
Stephanie Ann Stumvoll
Brittany Lanae Swanson
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Megan Bree Westphal
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Randy Albert Elenberger
Shauna Marie Erickson
Jonathan Hillman Giles
Caroline Godwin
Zachary Robert Heidmann
Kassondra Jean Henschel
Sirisha Komarneni
Hillaree Lea Leif
Charles Louis Lietaert
Jacob Maki
Sarah Delaney McDougall
Andria Jean Padilla
Sarah Catherine Rogers
Samantha Lee Schofield
Christina Marie Smestad
Cosette Elizabeth Heigaard Smith
Naomi Joy Tabassum
Tyler Thomas Tracy
Randall Wald
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Doctor of Philosophy

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College of Pharmacy, Nursing, and Allied Sciences

Bachelor of Science

Phung Chung
Patrick Stephen John Culhane

Marc Joseph Estes
Stephanie Beth Keller
Vickie Rinae Lee
Dylan Michael Meyer
Rebecca Ann O'Brien
Bethany Rose Pelzer
Kristy Lynn Schwanke
Elizabeth Helen Solma
Ben Jeremiah Zillgitt

Bachelor of Science in Nursing

Lisa Beth Arrett
Betsy Marie Bernu
Elise Christine Bruggeman
Bobbi Jo Carpenter
Matthew Phillip Ecker
Chelsea Caroline Ellefson
Kelsey Marie Envall
Katie Ann Fowler Lehman
Ashley Marie Gilbertson
Jody Lynne Hoffman
Elizabeth Anna Holmquist
Renaë Marie Huckeby
Christina Marie Jepperson
Roxanne Lyn Kasowski
Derek Scott Knoke
Deborah Jane Knudson
Michele Lucile Kraemer
Natalie Joel Leavitt
Breanna Dinae Mohagen
Jocelyn Marie Nitzkorski
Serena Kay Peluso
Samantha Jean Plooster
Sharilyn Ann Stansbury
Nicholas Lee Taralson
Angelea Marie Vanhorn
Mechelle Ann Zima

Master of Public Health

Erin Ann Loeb

Master of Science

Mary Margaret Jagim
Jodi Lynn Terpstra

Doctor of Philosophy

Erin Kathryn Nyren-Erickson
sathish Kumar Reddy Padi

College of Science and Mathematics

Certificate

Christopher Collins
Melinda Sue Fangman
Shah M. Limon
Qing Liu

Bachelor of Arts

Jeffrey Richard Geiser
Kelby Ruth Kleinendorst
Chelsea Lee Peterson
Kendra Jayne Zurn

Bachelor of Science

Dakota Claren Anderson
Michael P. Anderson
Christina Ijeoma Anyaogu
Rafiki E. Assumani
Jessica Lynn Bair
Thomas H. Beaty
Erin Angela Beck
Ross Meloy Bentson
Melissa Louise Bisek
Kaitlyn Jean Bock
Tyler Jon Burslie
Jordan Taylor-Kraft Cahill
Kristen Ann Ceglowski
Lena Marie Chastain
Katelyn Claiborn
Hunter Brooks Cooper
Kyra Ariel Daugherty
John Raymond Devney
Elizabeth Ann Dockter
Austin Bryan Dusek
Michael Jordan Ebach
Megan Lee Ebberts
Megan Marie Erickson
Roger Allen Glander, II.
Annalyse Elizabeth Gratzek
Robert Paul Haaland
Ashlee Elizabeth Hanson
Michael Scott Hanson
Nicole L. Hartle
Taryn Parker Healy
Bryce M. Hins
Ashley Rose Hintz
Brady August Holte
Kristopher David Hudson
Joshua Cole Jack
Jinseon Jeong
Corey Joseph Johnson

Lisa Christine Jordahl
Norifumi Kimura
Kyle M. Kingsley
Samantha Joy Krebsbach
Jonathan Moozoo Kue
Vishwajith Chandradeep Kuruppu
Megan Leigh Lambertson
Alyssa Lorraine Lansing
Kalli Kristine Likness
Cassandra Marie Matejka
Jared CJ Morrill
Steven Douglas Mueller
William John Murray
Trent John Neisen
Jeffrey Edward Oldenberg
Elliott John Olerud
Alli Rae Olson
Megan Jean Olson
Cory Allen Overland
Jessie Ann Pangrac
Allyson Rachelle Patton
Wadumesthrige Dinusha Niranjali
Elizabeth Ann Reinke
Madison Dawn Schaub
Deanna Naomi Schreiber-Gregory
Cameron Jeanne Schroeder
Samantha Dawn Ellice Sholts
Trent Paul Sprenkle
Taylor Sean Studsrud
Erin Catherine Sullivan
Lance Donald Swoboda
Jennifer Marie Tweten
Cody Allen Wass
Kelly Louise Williams
Andrew James Wiseman
Nhia Yang
Sean Corey Young-Stephens
Mary Elizabeth Zikmund

Master of Science

Veera Venkata Satyanarayana
Santosh Raj Dandey
Deepak Dawar
Anubrata Dutta
Reshma Hegde
Anuroop Kundur
Damian Jay Lampl
Tianwei Liu
Allison Marie Minnich
Scott J. Minot
Akshay Mudgal
Gunjan Piya

Barsha Saha
Manish Singh
Sonal Singh
Murali Somavarapu
Fereydoon Vafaei
Baris Yilmaz
Ya Zhu

Master of Software Engineering

Senthilkumar Rajendran
Obinamuni Sudeepa Rathnaweera
Manish Sthapit

Doctor of Philosophy

Josiah August Bjorgaard
Yaping Huang
Zhongjing Li
Michael Edward Mulholland
Nitesh Sule
Peng Yan

College of University Studies

Bachelor of University Studies

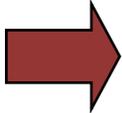
Jennifer Ann Baker
Christine Ann Duncan
Kyrstin Lee Emil
Cheryl R. Faith
Curran Ethan Fallon
Aaron Leslie Franklund
Peter Joseph Grossi
Emily Katherine Grossmann
Sarah Anne Gunderson
Kassandra Jo Kambeitz
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Kyle Jeffrey Novak
Michael John Olson
William James Pieper
Abhay Rana
Francis Arthur Schill
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Aaron Lee Swandal

Faculty Senate Minutes

Policy [331.1](#) Version 1 031314

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name-331.1: Course Syllabus

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

- Is this a federal or state mandate? Yes No
- Describe change:

Clarification on activation orders and the policy in place for students that become activated without having activation orders in hand.

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

- Student Government-Calie Craddock and Chris McEwen
- Email address of the person who should be contacted with revisions-calie.craddock.2@ndsuh.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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North Dakota State University Policy Manual

SECTION 331.1 COURSE SYLLABUS

SOURCE: NDSU Faculty Senate

Each course taught at NDSU shall have a syllabus to provide specific class information for students and to fulfill federal and other legal requirements.

The following categories of information shall be included on all syllabi:

- Course prefix, catalog number, credits, and title
- Instructor and contact information
 - Include campus address, phone number, email address, office hours
- Bulletin description
 - Description on syllabus must be consistent with the description listed in the current course catalog. Additional information may be included after the bulletin description in a syllabus.
- Course objectives
 - List objectives, goals, aims and/or outcomes for the course.
 - All General Education course syllabi and course web sites must identify the course as having been approved for General Education and include the General Education category and outcomes. See [General Education Course Syllabi Requirement](#).
 - For courses offered for both undergraduate and graduate credit, course objectives should be written to clearly define the increased expectations for graduate students in these courses.
- Evaluation procedures and criteria
 - Indicate how students are evaluated, including tests, quizzes, papers, assignments, weight of the assignments, etc.
 - Clearly identify how course grades are determined.
 - If a course is offered for both undergraduate and graduate credit, the additional requirements for graduate students must be clearly described on the syllabus. These courses require a significant, identifiable higher level of expectations for the performance of the graduate students.
- Attendance
 - If class attendance is a component of the course grade, the course instructor must clearly communicate this in the syllabus. See [NDSU Policy, Section 333](#) for faculty and student responsibilities related to attendance, including for university-sponsored activities.
 - Faculty are encouraged to provide the following statement on syllabi:
“Veterans and student ~~soldiers~~ [servicemembers](#) with special circumstances or

Faculty Senate Minutes

who are activated are encouraged to notify the instructor in advance as soon as possible and are encouraged to provide Activation Orders."

- Course schedule/outline/calendar of events
 - Provide students with a tentative projected outline of significant events that occur throughout the semester, including assignments, projects, examinations, field trips, guest speakers, etc.
 - Note the NDSU Dead Week policy, which limits the amount and type of exams/quizzes that may be given during the last two weeks of the semester and identifies exceptions. See [NDSU Policy Section 336: Examination and Grading](#).

- Student resources
 - List books, lab manuals, technology, supplies, calculators, and any other materials required or recommended for the student to complete the course requirements.
- American with Disabilities Act statement
 - The following statement must appear on all syllabi:
Any students with disabilities or other special needs, who need special accommodations in this course are invited to share these concerns or requests with the instructor and contact the [Disability Services Office](#) as soon as possible.
- Approved academic honesty statement.
 - The following statement must appear on all syllabi:
The academic community is operated on the basis of honesty, integrity, and fair play. [NDSU Policy 335: Code of Academic Responsibility and Conduct](#) applies to cases in which cheating, plagiarism, or other academic misconduct have occurred in an instructional context. Students found guilty of academic misconduct are subject to penalties, up to and possibly including suspension and/or expulsion. Student academic misconduct records are maintained by the [Office of Registration and Records](#). Informational resources about academic honesty for students and instructional staff members can be found at www.ndsu.edu/academichonesty.

In addition to the above, a statement of a college honor code, if applicable, should be included.

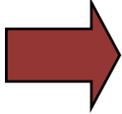
HISTORY:

New	September 28, 2000
Amended	February 2009
Housekeeping	December 2010
Housekeeping	February 14, 2011
Amended	June 1, 2011
Amended	February 11, 2014

Faculty Senate Minutes

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name-333: Class Attendance Policy

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

- Is this a federal or state mandate? Yes No
- Describe change:

Provide more clarification to military members and faculty the proper method of communicating with Faculty about activation orders.

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

- Student Government-Calie Craddock and Chris McEwen
- Email address of the person who should be contacted with revisions-calie.craddock.2@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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North Dakota State University Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY AND PROCEDURE

SOURCE: NDSU Faculty Senate Policy

1. GENERAL PHILOSOPHY

- a. Attendance in classes is expected. Only the course instructor can excuse a student from course responsibilities. (The term course includes class, laboratory, field trips, group exercises, or other activities.)
- b. If class attendance is a component of the course grade, the course instructor must clearly communicate this to the class in writing in the syllabus.

2. FACULTY RESPONSIBILITY

- a. The course instructor must clearly inform students on the first day of class and in writing in the syllabus (1) of their policy regarding class absence (including if supporting documentation is required; and (2) policy for making up missed assignments. It is recognized that sometimes an assignment is impossible to make-up.
- b. The course instructor must exercise a fair and consistent standard for resolving questions of missed assignments, the type, extent, manner, and time frame of the make-up assignments.

3. STUDENT RESPONSIBILITY

- a. Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two-week notice). Where advance notification is not possible (e.g., illness, family emergency), students should contact their course instructor as soon as possible about the absence. Veterans and student ~~soldiers~~ ~~servicemembers~~ with special circumstances or who are activated, [to include State Active Duty](#), are encouraged to notify the instructor ~~in advance~~ ~~as soon as possible~~, [provide Activation Orders if possible](#), and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

April 14, 2014

Attachment 4

-
- b. When a student misses class for any reason, the student is responsible for contacting the instructor to make arrangements to follow the course instructor's policy in making up any missed assignments, if permitted.

HISTORY:

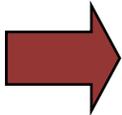
New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004
Amended	June 2007
Housekeeping	February 14, 2011
Amended	January 28, 2014

Faculty Senate Minutes

Policy 601 Version 1 03/11/14

Policy Change Cover Sheet

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

SECTION: 601 Rights & Responsibilities of Community: A Code of Student Behavior

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

- Is this a federal or state mandated change? Yes No
- Changed "behavior" to "conduct" throughout
- Reorganized the document to be more user friendly and eliminate lengthy numbering system
- Edited to resonate with a student audience as opposed to defense attorneys
- Incorporated information about Title IX compliance and other campus policy updates
- Removed "mace and pepper spray" from the weapons section

Please review for content and organization. Please ignore font sizes and styles throughout. These, as well as minor formatting issues will be addressed when we process through Publication Services.

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

- Dean of Student Life Office
- Janna.Stoskopf@ndsu.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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Fargo, ND 58108

North Dakota State University

April 14, 2014

Attachment 5

Rights and Responsibilities of Community:

A Code of Student ~~Behavior~~Conduct

August ~~2011~~2014

I. Introduction

~~Higher education plays a vital role in educating future leaders by providing students with educational opportunities inside and outside the classroom. The more time and energy students invest in educationally purposeful activities, the more they gain from their education. Learning is as much a social activity as a solitary endeavor.~~

~~To ensure~~ 1.1 General NDSU Values

NDSU students have an opportunity to gain the most from their education; ~~when they are encouraged to participate as committed citizens of the community by acting in a civil and responsible manner, accepting responsibility for actions and serving as a positive role model for others. Citizenship includes knowing and following local, state and federal laws, and the university's Code of Student Behavior.~~ ~~E~~-every member of the NDSU ~~student has that~~takes responsibility to observe and help maintain a code of personal ~~behavior~~ conduct that contributes to the educational effectiveness of the university. The Code of Student ~~Behavior~~ Conduct ~~identifies is derived from three~~ important to that support an educationally purposeful environment; ~~These values are~~

- Respect for the NDSU Community, and
- Respect for the Protection and Rights of Others and
- Respect for individuals in the Conduct Resolution Process.

~~Our goal with~~with the intent of this code is to foster educational ~~and~~ developmental of personal accountability and commitment to the community, as we work with students.

Respect for the NDSU Community

All NDSU stakeholders have a responsibility to respect the NDSU community. It is vital for all individuals to conduct themselves in a manner that does not negatively affect the educational mission of the university or the welfare of themselves or others. This includes promoting an environment conducive to learning and nurturing a sense of shared and mutual community responsibility. Community responsibility also involves awareness of how personal decisions affect others.

Respect for the Protection and Rights of Others

A community respecting the protection and rights of others is necessary to provide a positive and enriching educational environment. ~~Behaviors~~-Conduct that ~~inhibits~~ the educational process ~~are~~ is of concern, whether ~~they~~it occurs on or off university premises.

~~Participation in~~Respect for Individuals in the ~~Conflict~~ Conduct Resolution Process

All NDSU students have identified within the Code of Student Conduct and as afforded by due process. The university will work with students in an educational and fair manner to assist them in reflecting upon and growing from their personal experiences.

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~~The university's goal is to work with students in an educational and developmental manner, and to assist them to reflect on and grow from their personal experiences. For this reason, other persons may not participate in the conflict resolution process; however, a person may be present as an adviser for the student.~~

1.2 General Complaint Procedures

~~The Vice President for Student Affairs Office has established a procedure for sStudents to may file complaints regarding student report concerns, or other issues, and complaints procedure available at www.ndsu.edu/fileadmin/vpsa.ndsu.edu/ProblemsProcedure1.pdf. The procedure is designed to provide for orderly collection of information, to address students' complaints in a timely manner by appropriate university personnel, and to help students learn effective conflict resolution skills. Complaints regarding student behaviors covered in this code will be resolved according to procedures described in this document. Complaints regarding non-students or student organization constitutional/procedural issues may be resolved by other means, including, but not limited to, student court, organizational standards boards, mediation, and honor commissions.~~

~~To assist students in stating the problem and desired resolution, a form is available in the Vice President for Student Affairs Office, Old Main 100, the Dean of Student Life Office, Memorial Union 250, or online at www.ndsu.edu/fileadmin/vpsa.ndsu.edu/ProblemsProcedure1.pdf.~~

~~Students also may arrange a meeting with the associate director of student rights and responsibilities a staff member in the Dean of Student Life Office, Memorial Union 250, any time during the process for advice and direction in resolving the problem. Complaints regarding student behaviors covered in this code will be resolved according to procedures described in this document.~~

1.3 PreambleCode Authority

The president of NDSU is charged with the responsibility for development and administration of institutional policies and rules governing the role of students and their ~~behavior~~conduct. The president also has the responsibility of establishing guidelines for students ~~behavior~~ that set forth ~~behavioral~~conduct standards and provide for appropriate procedures and sanctions for violation of those standards, consistent with procedural fairness (North Dakota State Board of Higher Education Policy Manual, 305.1). The president has delegated student ~~behavior~~conduct responsibilities to the vice president for student affairs, ~~while retaining the role as final arbiter in selected cases.~~ The vice president has assigned the dean of student life to carry out these functions.

A Code of Student ~~Behavior~~Conduct contains statements of university policies relevant to student life. Development and enforcement of these standards of ~~behavior~~conduct are an educational endeavor designed to foster students' personal, social and ethical development. This document forms the basis for student ~~behavioral~~conduct expectations as a member of the NDSU community. The enforcement of these standards serves to promote the protection of the rights, responsibilities, and health and safety of members

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of the NDSU community. ~~so its members may pursue their educational goals without undue interference and the personal growth of students in conflict with the code.~~

The ~~Dean dean~~ of ~~Student student Life life Office~~ developed the content of this code with input from a committee of individuals that included various members of the Division of Student Affairs and student, faculty and staff representatives, in consultation with the vice president for student affairs and the ~~Office of~~ general counsel.

Contents of the code may be subject to change prior to the reprinting of this document. If changes are made, documents relating to the changes will be available from the Vice President for Student Affairs Office or the Dean of Student Life Office, printed in the Spectrum or other appropriate university publications, and/or communicated to students through official university electronic media. These changes will be included in future code revisions. An attempt also has been made to reference local, state or federal laws that complement university policies.

Questions should be referred to the Dean of Student Life Office, 250 Memorial Union.

~~2. General Behavior Code~~. Community Expectations

2.1 General Student Responsibilities

~~Every NDSU student has the responsibility to observe and help maintain a code of personal behavior and social relationships, at all times, on and off campus, that will positively contribute to the educational effectiveness of the university and the student's own personal growth. To this end, a~~All students are expected to observe the university standards published in this code and those outlined in any other university policies, procedures, contracts or license contracts published elsewhere. In addition, students are expected to observe the laws of the community, the state, the nation and relevant jurisdictions when touring and/or studying abroad.

2.2 Persons Covered Under This Code

For the purpose of this document, "student" is defined as any individual who has been admitted to the university, was previously enrolled in the university, and/or uses university resources for purposes related to the university's educational mission, including, but not limited to, performing research and taking classes. Visitors attending an on-campus event also may be covered under this code. Students no longer enrolled in the university may be held accountable under this code for those ~~offenses-violations~~ committed after they were admitted and before they left the university. Student organizations are held to the same ~~behavioral-conduct~~ standards that apply to individual students.

~~2.3 On-Campus Living Requirement~~

~~All first-year students are required to live on campus. For more information, contact the Department of Residence Life.~~

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2.4-3 Official University Communication

~~To facilitate correspondence between the student and the university,~~ NDSU will first use the student's email address as provided by the university. This address is considered the official form of communication for all purposes (see NDSU Policy 609). ~~If correspondence is unsuccessful, NDSU will attempt to use alternate email addresses in university records, and as a last resort, will use local and other U.S. mail addresses on file with NDSU.~~ It is the student's responsibility to maintain the accuracy of all personal data. ~~Failure to receive important university communications due to out-of-date personal information will not relieve the student of any university obligations. It is required that students continue to monitor the university provided email account at all times and it is recommended that students forward U.S. mail during extended university breaks.~~

2.54 Personal Inappropriate Behavior Prohibited Conduct – Not on University Property

~~General Information.~~ The university may discipline a student for acts of ~~personal inappropriate behavior prohibited conduct~~ committed outside of university property, ~~if the acts:~~

- ~~a) Occur during the course of or in conjunction with university activities that are being conducted off the university campus;~~
- ~~b) Relate to the safety and security of the university community and its members, integrity of the educational process, or interests of the university; or~~
- ~~c) Relate to previous conflicts between the student and university behavioral standards.~~

~~For example, the university routinely processes police reports provided to the university when the subject of such reports involves illegal or abusive use of alcohol and/or other drugs, loud/noisy party disturbances, violence or other serious crimes.~~ When law enforcement and other agencies furnish reports ~~such activities to NDSU~~ that involve students, the university may pursue charges under this code against all NDSU students identified on such reports. Off campus conduct addressed may include, but is not limited to the following: illegal or abusive use of alcohol and/or other drugs, loud/noisy party disturbances, assault and/or acts of violence, sexual misconduct, deception and/or misrepresentation, property violations, harassment, and hazing.

~~Other off campus behaviors addressed may include, but are not limited to, the following: altering academic transcripts; assault; arson; battery; drug trafficking; forgery; fraud; harassment as defined in this code; hazing; rape; sexual assault and/or sexual misconduct; trafficking in term papers; unauthorized use of a computer off campus to obtain access to information on campus; possession or consumption of an alcoholic beverage by any student who has not reached 21 years of age; furnishing false identification or otherwise making a false representation about one's age for the purpose of buying, receiving or otherwise obtaining alcoholic beverages; and selling, giving away or otherwise distributing an alcoholic beverage to any student who has not reached 21 years of age.~~

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2.5 Tri-College Policies

NDSU students who are charged with a violation of institutional policy at Concordia College or Minnesota State University Moorhead will be referred to NDSU and may be subject to action under this code.

2.6 NDSU Student Employees

~~When students commit acts that potentially violate this code while in their capacities as student employees of NDSU, the university reserves the right to review those potential conflicts when provided sufficient information to proceed with action under this code. When viewed as appropriate, NDSU may pursue resolution of those conflicts under this code in addition to any other personnel actions that may be taken against the students as employees.~~

2.7 Inappropriate Behavior by Student Athletes

~~Because of their relationship with the university, student athletes are responsible for observing the content of this code as well as the Student Athlete Code of Conduct and their specific team rules. For this reason, student athletes may face hearings under both codes with different findings and/or sanctions imposed. If civil and/or criminal charges are pending, the student athlete may answer separately to three different jurisdictions for the same set of circumstances. The university may proceed before, during or after the proceedings of the other two jurisdictions. Because the university's and the athletic department's procedures are educational and not criminal in nature, such separate procedures do not constitute double/triple jeopardy.~~

2.8 Inappropriate Behavior by Other Student Leaders

~~Because of their relationship with the university and roles within student organizations, student leaders are held to a higher level of personal accountability than other students. Each organization is responsible for reporting to the Student Activities Office those office holders who are considered organizational executives. These leaders may be held accountable under the code both in their leadership capacity and their individual capacity as NDSU students. If legal charges are pending, student leaders also may answer to civil and/or criminal courts for the same set of circumstances. Because the university's procedures are educational (administrative) and not criminal in nature, such separate proceedings do not constitute double/triple jeopardy. The university may proceed before, during or after legal proceedings, and does not typically wait for a court finding.~~

2.9 Inappropriate Behavior by Students in Specialized/Professional Programs

~~Some NDSU academic programs have established professional standards of behavior in addition to those required of all other students. Students in such programs that have established higher behavioral standards will be held accountable under the Code of Student Behavior, and at the same time, may face additional behavioral action related to their respective academic programs. As noted in 2.8, for the same reasons, these educational proceedings do not constitute double/triple jeopardy, even when criminal or civil actions may be pending from the same set of circumstances. The university may proceed before, during or after legal proceedings, and does not typically wait for a court finding.~~

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~~2.10 Unlawful Behavior by Students~~

~~When students commit acts that are also violations of community, state or federal laws, on or off campus, those students will be subject to the same civil and/or criminal penalties as any other citizen in addition to campus resolution. Campus resolution of such acts may proceed before, during or after the civil or criminal proceedings have concluded. Because the university uses a lower standard of proof in code proceedings than used in criminal courts, differing judgments may result. In upholding university conduct standards, university conclusions also may vary from those resulting in civil courts over the same fact patterns. Since campus actions are educational and take the university's interests into account, such simultaneous actions do not constitute double jeopardy.~~

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2.6 Multiple Accountabilities

Because of the varying roles/relationships/responsibilities students may have within and outside of the university, a student may be held accountable for prohibited conduct under other university, local, state or federal policies/laws/jurisdictions, including relevant jurisdictions when touring and/or studying abroad.

Examples of other areas of accountability may include:

- Student athletes under the Student Athletic Code
- Student leaders within student organizations
- Personnel actions with student employees
- Academic actions under academic programs' professional standards
- Criminal charges or civil suits

Actions under this code are educational (administrative) as well as other actions taken under NDSU policies. Because the university's procedures are educational and not criminal in nature, such separate proceedings do not constitute double/triple jeopardy. The university may proceed under this code before, during or after the other NDSU administrative processes, or legal proceedings, and does not typically wait for a court finding. Findings under this code may differ from judgments in criminal courts as the university uses a lower standard.

2.7 Financial Responsibility

~~2.11-8~~ Attempts

Individuals who attempt to commit acts prohibited by the ~~standards of this~~ Code of Student ~~Behavior~~ Conduct may be charged, found responsible and sanctioned to the same extent as if they had committed the prohibited acts.

~~2.12-9~~ Bias-Motivated Violations

Any code violation that is determined to have been motivated by hate based on age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran may result in enhanced sanctions above those typically assigned for the same violations when not motivated by hate. North Dakota State University

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does not discriminate on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran. Direct inquiries to ~~the Vice President for~~ Equity, Diversity and Global Outreach, 205 Old Main, (701) 231-7708.

2.13-10 Repeated Code Violations

Repeated violations of this code are relevant in determining a student's continued membership in the university community. Progressively more severe sanctions, including suspension or expulsion from the university, may be assigned, depending on the nature of the violation(s).

2.14-11 Designees

Administrators identified in this document may designate one or more individuals to act on their behalf.

2.15 Final Code Authority

~~Behaviors—~~Conduct described in this code ~~are—~~is illustrative rather than exhaustive. In the event there arises some ambiguity, inconsistency or need for clarification of these statements, such as definition, interpretation or clarification will be determined at the discretion of the dean of student life, from whom any student, staff or faculty member may request written clarification. Final authority for interpretation of this code lies with the vice president for student affairs.

3. Behavior III. Prohibited Conduct Expectations and Responsibilities

~~The following sections outline forms of behavior that are inappropriate in a university community and have been organized into two groups: Respect for the NDSU Community and Respect for the Protection and Rights of Others. Inappropriate behaviors outlined here are not intended to be exhaustive. Instead, they are intended to assist students to avoid conflicts with university policies and other members of the university community. Students will find that following these policies will protect the rights and freedoms of everyone in the university community.~~

4. Respect for the NDSU Community

~~This section communicates the importance of conducting oneself in a manner that supports the educational mission of the university and does not adversely affect the rights and welfare of oneself and others. Respect for the NDSU community includes promoting an environment conducive to learning and nurturing a sense of shared community responsibility.~~

4.1- 3.1 Violations of Law

The university reserves the right to address any ~~behaviors—~~conduct occurring on or off campus that may be construed as potential or alleged violations of local, state or federal laws.

4.2- 3.2 Complicity in Prohibited Acts

~~There are two types of complicity. The first is knowingly, recklessly or willfully encouraging or assisting others to commit acts prohibited by this code. The second type is, when in the presence of a potential code~~

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~~violation, students fail to do one or more of the following:~~

~~Complicity is association with and/or participation in an act prohibited by this code. To avoid being complicit to code violations, students are expected to do one or more of the following:~~

- a) Personally confront those involved and stop the violation, except in cases of violence;
- b) Bring the violation to the awareness of a staff member; or
- c) Leave the scene of the violation, if not responsible for the space in which the violation is occurring.

Complicit students may be sanctioned to the same extent as if they had committed the prohibited act. Students are accountable for their guests' behavior and may be sanctioned under this provision as if they had committed the violations themselves.

~~4.3 Alcohol/Drug Use~~

~~NDSU maintains an alcohol/drug free campus, subject to minor exceptions noted below. Section 155 of the NDSU Policy Manual: Alcohol and Other Drugs applies to students, campus organizations and employees, regardless of the individual's age. (see Section 155: Unlawful and Unauthorized Use by Students and Employees at www.ndsu.edu/policy/155.htm).~~

~~4.3.1-3.3 Alcohol on NDSU Property~~

~~Regardless of a person's age, the Mmanufacture, sale, transfer, purchase, transportation, possession, use or consumption of an alcoholic beverage and/or possession or display of empty alcohol beverage containers anywhere on NDSU owned or controlled property and/or sponsored events is prohibited except as authorized by NDSU Policy 155, Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees (including university vehicles, regardless of location), are all prohibited. Exceptions may include lawful possession of alcohol in on-campus professional staff residences, fraternity houses (in certain circumstances), president's residence and other special exceptions as granted in writing by the president. Special exceptions must be educational in nature and comply with requirements outlined in section 4.3.8 of this document.~~

~~3.4 Off Campus Alcohol~~

~~3.5 Drugs Other Than Alcohol~~

~~4.3.2-3.6 Behaviors-Conduct While Under the Influence of Alcohol or Other Drugs~~

Being under the influence of alcohol or other drugs is a violation of this code ~~while a person is on university owned or controlled property, or at an NDSU sponsored or supervised function, and when~~ the person

- a) Endangers, or may endanger, the safety of others, property or themselves; or
- b) Causes a disturbance.

~~4.3.3 Minors in Possession/Consumption/Under the Influence of Alcohol While on Campus~~

~~As students under the age of 21, being under the influence of, possessing, manufacturing, exchanging, distributing, purchasing, using or selling alcohol on NDSU owned or controlled property, or at NDSU sponsored or supervised events, is prohibited.~~

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~~4.3.4 Driving While Under the Influence of Alcohol or Other Drugs~~

~~Driving while under the influence of alcohol or other drugs, regardless of location, is prohibited.~~

~~4.3.5 Possession of Alcohol Beverage Container~~

~~Possession or display of empty alcohol beverage containers, including but not limited to cans, bottles and kegs, on the NDSU campus, including those held by unauthorized individuals for the purpose of recycling, is prohibited.~~

~~4.3.6.7 Alcohol at Student Organization Events~~

Recognized NDSU student organizations planning off campus events at ~~which—a venue where~~ alcohol may be ~~available (within the premises where the event takes place)~~present must complete and ~~file submit with the Student Activities Office, Memorial Union 120,~~ an Event Risk Management Planning Notification Form, ~~available—and a guest list to~~in the Student Activities Office, Memorial Union 120 ~~and online at www.ndsu.edu/mu/about_mu/forms.~~ Events involving alcohol must be closed events, intended only for organization membership and invited guests, and alcohol must be sold ~~and~~ served by a licensed third party vendor. ~~Policies for event planning include:~~

~~4.3.6.1 Events/Parties at which Alcohol May be Present~~

~~Open events/parties, at which alcohol may be present, are prohibited by the university. Open events/parties are defined as those with unrestricted access by nonmembers of the organization.~~

~~4.3.6.2~~

~~Closed events/parties, at which alcohol may be present, are defined as those requiring restricted access by members of the organization and identified guests. These events/parties require guest lists that must be submitted to the Student Activities Office, Memorial Union 120, during normal business hours at least 24 hours prior to the event.~~

~~4.3.3.6. Use of Student Organization or Public Funds~~

~~Student organization or public funds may not be used for the purchase of alcoholic beverages .~~

~~4.3.6. Sale of Alcoholic Beverages~~

Sale of alcoholic beverages by students and student organizations is ~~strictly forbidden~~prohibited. This includes any action that can be remotely construed as an alcohol sale, such as charging admission to parties, passing the hat, selling empty cups and selling drink tickets. Alcohol ~~if available sales may~~must be conducted—sold and served only by licensed third party vendors, ~~and made available only in individual serving containers.~~

~~4.3.6. Common Sources of Alcohol~~

Common sources ~~or a bulk quantity~~ of alcohol, such as ~~party balls~~cases or kegs, are not permitted at any student organization sponsored event.

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~~4.3.6.6~~ **Activities and Promotions**

No activities or promotions shall encourage excessive and/or rapid consumption of alcoholic beverages. This includes contests, drinking games and discounts or special pricing of alcoholic beverages. Use of alcohol at ~~any such~~ events is expected to be lawful and responsible.

~~4.3.6.7~~ **Alcoholic Beverages as Prizes**

Alcoholic beverages (~~such as kegs or cases of beer~~) may not be used as awards or prizes in connection with events or activities. Prize coupons and/or gift cards ~~used for~~ donated by establishments with a liquor license must include the statement, "Not valid for purchase of alcohol."

~~4.3.7.3.8~~ **Advertising Related to Alcohol**

Alcohol promotional activities, including advertising, shall not be associated with otherwise existing campus events, programs or campus organizational functions on or off campus. This includes, ~~but is not limited to, such items as cups, frisbees, T-shirts, backpacks, beverage can/bottle coolers and any other items carrying alcohol/beer advertising novelty items, giveaways, and apparel associated with the event.~~ Advertising of establishments that sell alcohol ~~may appear and~~ must adhere to the following guidelines:

- ~~4.3.7.1~~ Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse or promote alcohol specials such as two for ones, happy hour drink specials or any ads that encourage rapid and extensive consumption of alcohol.
- ~~4.3.7.2~~ Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.
- ~~4.3.7.3~~ Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with performance of tasks that require skilled reactions such as operation of motor vehicles or athletic performance.
- ~~4.3.7.4~~ Advertising of establishments that sell alcohol shall include a statement of low-risk such as "know when to say when" or "please use our products legally and in a responsible manner."

For additional policy details, consult Section 155, ~~the~~ Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees, and the Event Risk Management guidelines ~~and the Greek Life Initiatives and Action Plan (policies are~~ which is available in the Student Activities Office, Memorial Union 120, and online at www.ndsu.edu/MU).

~~4.3.8~~ **Exceptions to Alcohol/Drug Use**

~~Full or empty alcohol containers and/or drugs may be used in educational programs with educational purposes when officially requested by and conducted under the direction of university administrators with~~

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~~prior written approval from the president. Exceptions may be made as expressly permitted by law or as required for scientific research or teaching under the direction of faculty supervision. Programs that serve as fundraisers or at which admission is charged will not be eligible for exceptions to the alcohol policies.~~

4.3.9.9 Good Samaritan Responsibilities

4.3.9.1 Student Hosts

~~Student hosts have the responsibility to ensure the well being of their guests wherever events occur. If a guest needs emergency medical attention, student hosts are required to call an ambulance or other appropriate emergency personnel (ambulance, police, fire, etc.) to gain that assistance. Student hosts who fail to carry out this responsibility may be subject to serious university sanctions and may be potentially subject to additional civil and/or criminal liability.~~

~~Student hosts who act properly and seek medical attention or police assistance will experience appropriate leniency in university sanctioning related to the event in which the medical emergency arose.~~

4.3.9.2 Students

All students are expected to protect the well being of fellow students and others wherever events occur. If a person needs emergency medical attention resulting from the use of alcohol or other drugs, students are expected to call an ambulance or other appropriate emergency response personnel (ambulance, police, fire, etc.) to gain that assistance. Students who fail to respond appropriately may be subject to serious university sanctions and may potentially be subject to additional civil and/or criminal liability.

Students who appropriately report ~~act properly and seek medical attention or police assistance~~ will not be subject to the Student Conduct process, nor will the incident become part of the student's conduct record, experience appropriate leniency in university sanctioning related to the event in which the medical emergency arose. However, all students [including the student(s) needing assistance and reporter(s)] may be required to have an educational meeting with university personnel. This protection may not apply if other conduct violations occurred with the same incident. This protection will apply only once in a two year period. Subsequent incidents will not be eligible for protection under this policy.

4.3.10 ~~3.5~~ Drugs Other Than Alcohol

~~Drugs other than alcohol may include, but are not limited to, marijuana, K2, hashish, hash oil, cocaine, crack, Khat, LSD, inhalants, salvia divinorum, stimulants, depressants, hallucinogens, narcotics, designer drugs, anabolic steroids and other substances that alter one's mental state.~~

4.3.10.1 Possession, Consumption, Being Under the Influence of Drugs Other than Alcohol

Possession, consumption, and being under the influence, or transport of illegal drugs or any other controlled substances than alcohol are is prohibited, except pursuant to a physician's, dentist's or other authorized medical personnel's prescriptions. The

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~~4.3.10.2 Transport, Manufacture, Exchange, Distribution, Purchase, Use, Sale of Illegal Drugs~~

~~Transport, manufacture, exchange, distribution, purchase, use, or sale of illegal drugs or any other controlled substances is prohibited, except pursuant to a physician's, dentist's or other authorized personnel's prescriptions.~~

~~4.3.11 Possession of Drug Paraphernalia~~ The

~~P~~possession of drug paraphernalia for illegal drug use is prohibited as well.

4.3.12 Off Campus Alcohol and/or Other Drugs

Students may face campus charges for alcohol ~~and/or drug-related behaviors—incidents~~ occurring off campus. Such ~~incidents include, but are not limited to: reports generally come to the university in the form of a summons to court and/or police reports for —loud party, noisy party/gathering , minor in possession/minor consumption/minor—~~under the influence of alcohol, ~~failure to disperse (from a loud party), consuming alcohol in public, driving under the influence of alcohol or other drugs, urinating in public, or other similar violations of law and public consumption of alcohol.~~ Covered in this section are any other alcohol and/or other drug violations of law reported to NDSU by any law enforcement or other agencies.

~~4.3.13 Noisy (Loud) Parties/Public Disturbances~~

~~Students may face campus charges for participation in or hosting of noisy or loud parties or other public disturbances on or off campus. Loud parties consist of two or more individuals whose behaviors lead to noise complaints.~~

4.3.14.10 Smoking

Smoking including the use of electronic cigarettes, is prohibited on the North Dakota State University grounds and in university buildings, residence halls, apartments and enclosed structures. (www.ndsu.edu/policy/153.pdf)

4.4.3.11 Animals

Privately owned animals are prohibited in campus buildings, with the exception of fish. ~~Outdoors~~ Animales in outdoor areas, animals must be on a leash, must be under control of the owners or their designees at all times and should not be left unattended. Owners are responsible for any health or safety issues that may arise concerning the presence of these animals on university properties and at NDSU sponsored or supervised events. Questions may be directed to the facilities management director, Thorson Maintenance Center, [231-7911](tel:231-7911).

4.4.1 Service Animals

Service animals that assist persons for individuals with disabilities are ~~welcomed as provided under federal law~~ allowed in campus buildings, supporting access to the university environment. "Service Animals," as are defined by the Americans with Disabilities Act (ADA) at <http://www.ada.gov/>. To qualify for a service animal, an individual must: 1) have a disability as defined by the ADA, and 2) be accompanied by the

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~~animal who is, means a guide dog, signal dog or other animal individually trained to provide assistance to an individual with a disability. Service animals perform some of the functions and do specific tasks or work for thean individual with a disability. cannot perform for him/herself in activities of normal living. Service animals must be on a leash, must be under control of the owners' or their designees at all times, and should not be left unattended. Owners are responsible for any health or safety issues that may arise concerning the presence of these animals on university properties and at NDSU sponsored or supervised events. Students with a disability who regularly utilize a service animal are required to register with. If the work of the animal is not readily identifiable, NDSU may make the following inquiries regarding service animals: Is the animal required because of a disability? What work or tasks is the animal trained to perform? For further information regarding service animals, contact the director of the Disability Services services Office, and, if necessary, to establish that an animal meets the service animal definition above, and to provide documentation of the disability within a reasonable period of time.~~

~~Service animals may not reside in university housing without expressed approval from Residence Life. Such requests will be processed as follows: A requesting individual should provide appropriate documentation to the Disability Services Office at least 60 days before housing is needed for the service animal. The Disability Services Office staff will review the documentation and arrange for conversations between the assistant director for residence life operations, person making the request and a disability services staff person to facilitate the accommodation. See University Policy 100.2 for further information about service animals.~~

~~4.52.7 Bad Debts/Financial Responsibility~~

~~4.5.1 Payment~~

~~All students must pay in full any debts to NDSU, including, but not limited to, tuition/fees, room/apartment and meal plan charges, long distance telephone bills and library fines. Any failure to meet these obligations may result in a denial of registration, denial of occupancy and/or continued occupancy of any university residence life accommodation, refusal to release a diploma upon graduation, or refusal to forward an official transcript, unless the student has filed for bankruptcy or the debt has been discharged under federal bankruptcy laws. For the complete text of the NDSU Collection Policy, please consult the Customer Account Services staff or www.ndsu.edu/policy/513.htm.~~

~~4.5.2 Financial Aid Misuse/Abuse~~

~~Misusing financial aid through fraud or abuse is prohibited.~~

~~4.5.3 Student Organization/Individual Debt~~

~~NDSU bears no responsibility for financial obligations of individual students or student organizations. Any debts incurred, either on or off campus, by students or student groups will be the responsibility of the individual, organization and its leadership. In the event an organization dissolves and is no longer in existence, individuals holding leadership positions at the time the debt was incurred will maintain responsibility for settling outstanding debts.~~

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4.5.4 Creditors

~~NDSU will normally take no action on behalf of creditors in the case of debts incurred by students, student organizations or other student groups. NDSU officials will not use the power of the state to act as a collection agency for private debts of students.~~

4.63.12 Copyright

For more information, go to [Information Technology Services, www.ndsu.edu/its/intellectual-property-copyright](#), and [NDSU Policy 190, Employee Responsibility and Activities: Intellectual Property, www.Ndsu.edu/fileadmin/policy/190.pdf](#).

4.6.13.13 Intellectual Property Infringement

Reproduction or distribution of any copyrighted materials without authorization is prohibited. When reproducing or distributing information, users are responsible for observation of copyrights and other intellectual property rights of others and all state and federal laws, institutional and North Dakota University System (NDUS) policies. Generally, materials owned by others cannot be used without the owner's permission. Written consent from the copyright owner is normally necessary to reproduce or distribute copyrighted material. There are some exceptions, such as fair use in teaching and in research. Documentation of consent to use copyrighted materials must be kept on record and made available to institution officials upon request. ~~ND^SU^S~~ assumes no obligation to monitor users for infringing activities, but will, when such activities are called to the appropriate official's attention, investigate to determine if there is likely infringement and take appropriate action.

4.6.23.14 Trademarks

~~Users also should be careful of unauthorized use of trademarks.~~ Trademarks are words, names or symbols that serve as source identifiers of a company's or institution's products. Certain uses of such marks online, in websites, or in domain names can constitute trademark infringement. ~~Unauthorized use of an institution's name in these situations also can constitute trademark infringement (see NDSU Policy 700.1: Use of University Name: www.ndsu.edu/policy/7001.htm).~~

4.6.33.15 Use of NDSU's Name

Use of NDSU's name without prior authorization is prohibited. For additional information and guidance, please see NDSU Policy Manual 700.1, Use of University Name.

4.6.43.16 Sale of Class Lecture Notes/Materials

Students are prohibited from transferring their class lecture notes or instructor provided materials for commercial purposes unless approved by the course instructor. In addition to copyright issues raised by such practices, commercial sales or transfers may interfere with the educational purposes of the instruction and potentially inhibit free discussion of ideas central to the academic purposes of instruction at NDSU. Note: This policy does not prevent note taking provided as part of an ADA accommodation.

3.17 Misuse of Proprietary Information

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4.7.3.18 Computer Related ~~Inappropriate Behavior~~ Conduct

Please see NDSU Policy Manual Section 158: Acceptable Use of Electronic Communications Devices: www.ndsu.edu/policy/158.pdf and the State Board of Higher Education (SBHE) Policy Manual Section 1901.2, Computing Facilities: www.ndus.edu/makers/procedures/sbha/default.asp?PID=301+26&SID=6244. If additional questions remain, contact the Information Technology Services Help Desk in [IACC-Quentin Burdick Building](#) for additional guidance at <http://its.ndsu.edu>.

Following are common violations found in the two policies noted above. For a complete listing, please view both documents above.

- ~~4.7.1~~ Unauthorized use, sharing, lending or borrowing of an account ~~is prohibited~~.
- ~~4.7.2~~ Using computer services or facilities for purposes other than those for which the account was issued ~~is prohibited~~.
- ~~4.7.3~~ Using university network resources and services to play or store game programs ~~is prohibited~~.
- ~~4.7.4~~ Using the university's computer system for commercial purposes without written authorization of the Information Technology Security Officer ~~is prohibited~~.
- ~~4.7.5~~ Copying, altering or destroying the files or output of another individual without the express permission of that individual ~~are prohibited~~.
- ~~4.7.6~~ Altering system software or hardware configurations, or disrupting or interfering with the delivery or administration of computer resources ~~are prohibited~~.
- ~~4.7.7~~ Misrepresenting oneself as another individual or entity in electronic communication ~~is prohibited~~.

4.7.8 Downloading

- ~~a)~~ Using the university's network system to download copyright protected media including, but not limited to, books, music, movies, television programs, games and software without proof of purchase or permission ~~is prohibited~~.
- ~~b)~~ ~~The university establishes~~ Exceeding university bandwidth limits ~~for students, faculty and staff~~. ~~When an individual exceeds that limit, cooperation with Information Technology Services (ITS) staff is mandatory to remedy excess use.~~

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~~4.7.9 Sharing Without Written Permission~~

- ~~• Using the university's network system to share Sharing or distributinge copyright protected media, including but not limited to books, music, movies, television programs, games and software without written permission is prohibited.~~
- ~~4.7.10~~ Abusing or misusing the computer facilities so as to cause damage, program disturbances or harassment to other persons ~~is prohibited.~~
- ~~4.7.11~~ Using the university's network system to enter obscene material into university-owned computers or send obscene material through the Internet or any other electronic system ~~is prohibited.~~
- ~~4.7.12~~ Any other violation of university or NDUS policies governing electronic communications, as referenced above, ~~is prohibited.~~

4.8.19 Deception/Falsification/Misrepresentation

~~4.8.1~~ Withholding or providing false information is prohibited. This includes but is not limited to

- ~~4.8.2~~ Falsely representing an entity and/or committing or using the resources of an entity without proper authorization is prohibited.
- ~~4.8.3 False Accusations~~ Knowingly, intentionally or recklessly making false accusations of ~~inappropriate behavior~~ prohibited conduct against another individual;
- ~~providing~~ Providing false information or falsified evidence with the intent of harming another person; and/or
- ~~a~~ Attempting to intimidate witnesses and/or altering or destroying evidence necessary to conflict resolution are prohibited.

4.9.20 Disruption of University Business

~~4.9.1~~ Disruption or obstruction of university business, facilities and grounds, such that the function or service is materially or substantially disrupted or obstructed, is prohibited. University business includes (but is not limited to): teaching, research, administration, public service functions, meetings of university committees or boards, or any other authorized university activity or organization on or off university premises.

~~4.9.2~~ Obstruction of ingress or egress to any university facility, or intentional obstruction that unreasonably interferes with freedom of movement, both pedestrian and vehicular, on campus is prohibited.

~~4.9.3~~ Unauthorized entry on the performance area or spectator areas of any university event, including, but not limited to, athletic contests, exhibitions, musical or theatrical events, or any other events is prohibited.

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4.10 Gambling

~~Illegal gambling at any time and in any form is prohibited. Internet gambling is illegal in North Dakota. Individuals may not gamble on university athletics. (Raffles or lotteries require a permit from the City of Fargo. Permit applications can be obtained from the City Auditor's Office. See Section 8.1.4.)~~

4.113.21 Failure to Comply

4.11.1 Failure to comply with the instructions or directions of all university and/or emergency personnel in the performance of their duties is prohibited. Such acts may include, but are not limited to, recklessly obstructing or delaying any university proceedings, ~~failing to cooperate with an investigation~~providing misleading or false information during an investigation, resisting or fleeing a police officer, failing to comply with assigned university ~~behavior~~conduct sanctions, or engaging in verbal and/or physical abuse directed toward any university personnel.

~~4.11.2 Failure to comply with the instructions or directions of all emergency response personnel in the performance of their duties is prohibited. Such acts may include, but are not limited to, obstructing or delaying emergency response personnel, resisting or fleeing a police officer, or engaging in verbal and/or physical abuse directed toward any emergency personnel.~~

4.123.22 Identification

Students are expected to carry university identification at all times. Failure to produce ~~either~~ a university identification card ~~or a driver's license~~ upon request by any university personnel in the performance of their duties is prohibited. Guests are expected to carry valid identification.

4.133.23 Bribery

Offering, giving, receiving or soliciting anything of value to influence the official decision or action of university personnel, or a person in a position of trust or influence, is prohibited.

~~Bribing others to fulfill or otherwise attempt to evade academic responsibilities, such as homework, papers, and exams is prohibited. Students are expected to complete their own academic assignments and responsibilities including, but not limited to, the taking of exams, completion of assignments/projects, and writing papers. Bribing others to fulfill or otherwise attempt to evade these academic responsibilities is prohibited.~~

4.143.17 Misuse of Proprietary Information

Unauthorized use or misuse of proprietary information, in whatever form, is prohibited. "Proprietary" means property in which the university or its employees and/or students have a legal interest or responsibility to maintain confidentiality (see NDSU Policy 343, Confidential Proprietary Information).

4.15 Property Violations

~~Property violations are prohibited and include, but are not limited to, behaviors that would commonly constitute criminal violations, such as burglary, robbery, theft, possession of stolen property, trespassing and vandalism.~~

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4.15.13.24 Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another is prohibited.

4.15.23.25 Burglary

The unlawful entry into a building or another structure with the intent to commit a felony or theft is prohibited. This includes, but is not limited to, unlawful entry with intent to commit a larceny or felony, housebreaking and safecracking. Attempts to commit the aforementioned also would constitute a violation of this policy.

4.15.33.26 Robbery

The taking of, or attempting to take, anything of value under confrontational circumstances from the control, custody or care of a person or persons by force or threat of force or violence or by putting the victim in fear is prohibited.

4.15.43.27 Motor Vehicle Theft

The theft or attempted theft of a motor vehicle is prohibited. This includes, but is not limited to, persons having unlawful access even though the vehicle is later abandoned, such as joyriding.

4.15.53.28 Theft of Property

Theft or removal of property belonging to the university or another individual is prohibited. This includes, but is not limited to, furniture, artwork, plants, electronics, books, window screens and signs.

4.15.63.29 Theft of Services

Using university services to which one is not entitled is prohibited. This includes, but is not limited to, using campus laundry services intended only for campus residents, using parking services not purchased, using parking lots other than those assigned by campus personnel, and unauthorized use of university printing services.

3.30 Possession of Stolen Property

Possession of goods that one knows or that any reasonable person would realize were stolen; also, to receive, retain, conceal, or dispose of property knowing that it was stolen. If it can reasonably be demonstrated that the receiver was unknowing, the property should be returned to its owner with no action taken against the receiver.

4.15.73.31 Vandalism

The willful destruction or defacement of property belonging to the university or another individual is prohibited. This includes, but is not limited to, writing on or tearing down bulletin boards, spray painting or unauthorized chalking of buildings or sidewalks, and intentionally breaking or damaging property.

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3.32 Trespassing

Entering and/or remaining in or on property to which a person does not have a legitimate right or purpose to enter or remain. Such property may include but is not limited to vehicles, apartments, houses, fenced yards, and/or other buildings or portions of buildings, such as roofs. Properties need not be specifically posted with No Trespass signs.

4.163.33 Unauthorized Sales or Solicitations

Unauthorized sales or solicitations in residence halls, university apartments, or in any other campus buildings are prohibited at any time. For questions regarding sales in the Memorial Union, see the Memorial Union director, Room 246. For questions regarding sales in residence life facilities, see the senior associate director of Residence Life, West Bison Court. For questions concerning sales in any other areas, begin the inquiry at the Dean of Student Life Office, Memorial Union, room 250.

4.173.34 Traffic Safety and Parking Enforcement

University traffic and parking regulations are ~~approved by the University Senate upon recommendation of the Campus Space and Facilities Committee. The complete current rules are~~ published in a separate pamphlet titled "NDSU Parking Regulations" which may be obtained from the NDSU Parking Office, Thorson Maintenance Center or online at www.ndsu.edu/fileadmin/parking/docs/parking/Parking_RegulationsBrochure.pdf. Following are common violations described in the NDSU Parking Regulations brochure:

Traffic Regulations, as Governed by NDSU Police:

- ~~4.17.1~~ Improper operation of motor vehicles on campus including, but not limited to, driving on sidewalks or grass, is prohibited.
- ~~4.17.2~~ Failure to cooperate with the lawful direction of traffic enforcement personnel in the performance of their duties is prohibited.
- ~~4.17.3~~ Failure to report an accident that occurs on the NDSU campus, or involves an NDSU official vehicle, in the manner and time limit required by law or by university regulations, is prohibited.
- ~~4.17.4~~ Failure of persons in motorized vehicles or on bicycles, skateboards, roller blades and/or scooters to yield the right of way to pedestrians or abide by any traffic laws is prohibited.

Parking Regulations, as Governed by the Parking Enforcement Office:

- ~~4.17.5~~ Falsifying registration information, reproducing, defacing, forging, altering, obscuring or transferring a permit is prohibited. Retaining and using a found permit also is prohibited. Parking permit theft may be processed under this code in place of or in addition to filing of criminal charges for theft of services. Upon completion of investigations by university police and the NDSU Parking Office, sanctions and/or fines may be administered. Only the NDSU Parking Office is authorized to re-sell permits.

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4.18.35 Unauthorized Entry/Use of Facilities

- ~~4.18.1~~ Unauthorized entry onto the property of the university or into a university facility or any portion thereof that has been reserved, restricted in use or placed off limits; unauthorized presence in any university facility after closing hours; and unauthorized possession or use of a key/access card to any university facility are prohibited. Unauthorized activities shall include, but are not limited to, entry, use or occupancy to which students are not permitted by virtue of enrollment, employment, class schedule, and/or gender in facilities restricted by gender. University areas that are restricted include, but are not limited to, all building roofs, fire escapes, steam tunnels, elevator shafts, equipment and mechanical storage rooms and construction sites. The use of fire escapes is strictly limited to emergency purposes.
- ~~4.18.2~~ ~~Reproduction, d~~Duplication, manufacture, ~~or~~ possession ~~or loaning~~ of any key/access card or unlocking device for use on university facilities, locks or other property on university premises without proper authorization are prohibited.
- ~~4.18.3~~ Procuring, altering, damaging, removing, manufacturing or using any university key card, lock, password or other security device without proper authorization are prohibited.
- ~~4.18.4~~ Refusal to vacate a university facility when directed to do so by an authorized official of the university is prohibited.
- ~~4.18.5~~ Use of any university facility, equipment, materials or services, except for their authorized purposes, including, but not limited to, telephone, mail and computer systems, is prohibited. Only currently enrolled NDSU students and currently employed NDSU faculty and staff are authorized users.

~~5. Respect for the Protection and Rights of Others~~

~~The purpose of this section is to communicate the value the university places on respect for the protection and rights of others.~~

5.13.36 Intimidation

~~Behavior—Conduct~~ in any form that involves an expressed or implied threat to interfere or that has the purpose or reasonably foreseeable effect of interfering with an individual's personal safety, safety of property, academic efforts, employment or participation in university sponsored activities, and causes the person to have a reasonable apprehension that such harm is about to occur, is prohibited.

5.23.37 Physical AbuseAssault

~~Physical abuse, including the use of physical force, violence, intoxicants or other substances to restrict the freedom of action or movement of another person or to endanger the health or safety of another person, is prohibited.~~

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5.3 Assault

~~Assault, an unwanted physical touching by one person upon another which does not involve the display or use of a weapon, and does not result in obvious or aggravated physical injury, is prohibited.~~

5.4 Aggravated Assault

~~Aggravated assault, an unwanted touching by one person upon another in which the offender uses a form of weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury, is prohibited.~~

~~Physical assault of another person is prohibited and includes, but is not limited to:~~

- ~~• Use of physical force, violence, intoxicants or other substances to restrict the freedom of action or movement of another person, and/or endangers the health or safety of another person;~~
- ~~• Unwanted physical touching by one person upon another, with or without the use/threatening display of a weapon, and regardless if obvious or aggravated bodily injury is sustained.~~

5.5-3.38 Instigation/Provocation“Fighting Words”

The face-to-face use of ~~“fighting words” is prohibited. Fighting words are~~ personally abusive epithets that, when addressed to any person, are inherently likely to provoke immediate violent reaction whether or not the reaction occurs.

5.6 Unauthorized Surveillance

~~Making unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy including, but not limited to, shower/locker rooms, residence hall rooms, bedrooms and restrooms, is prohibited.~~

~~5.6.1 Storing, sharing and/or other distribution of such unauthorized video and photographic images, by any means, is prohibited.~~

5.7 Harassment and 3.40 Discrimination, Harassment, and Retaliation

~~5.7.1 Harassment NDSU is committed to providing a climate that fosters respect for students, staff and faculty as well as others who participate in programs and activities at the university. As part of that commitment, NDSU prohibits harassment based on gender, race, color, religion, national origin, age, disability, sexual orientation, or protected activity (such as reporting alleged harassment or providing information related to a grievance). This policy is in compliance with federal civil rights laws and agency regulations and guidance implementing these laws. Harassment (based on an individual’s membership in one or more of the groups identified above) is defined, for purposes of this policy, as any unwelcome behavior that has the intent or effect of unreasonably interfering with the individual’s employment or academic endeavors or creating a hostile, intimidating or offensive environment.~~

~~North Dakota State University is fully committed to equal opportunity in educational programs/activities and employment decisions for all individuals. Any discriminatory (different or unequal treatment) or harassing action(s) (unwelcome behavior that has the intent or effect of unreasonably interfering with the individual’s academic or employment endeavors or creating a hostile, intimidating or offensive~~

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environment) taken against another based on age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran is prohibited. Any attempt to retaliate because of one's participation in a protected act (anyone who, in good faith, alleges discrimination, harassment or sexual harassment or who provides information related to an equal opportunity grievance) is also prohibited. See NDSU Policy 100 Equal Opportunity and Non-Discrimination (www.ndsu.edu/fileadmin/policy/100.pdf) and NDSU Policy 163 Anti-Harassment (www.ndsu.edu/fileadmin/policy/163.pdf)

~~5.7.2-3.41 Sexual Harassment (North Dakota State University Policy Manual, Section 162 www.ndsu.edu/policy/162.htm)~~

~~As part of its commitment to equal opportunity, NDSU prohibits sexual harassment of its employees and students, including student to student and other peer sexual harassment. This policy is in compliance with federal regulations implementing Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Sexual harassment is defined as: considered conduct of a sexual nature that: (1) is unwanted, improper or offensive; (2) occurs if the victim's refusal or acceptance of the behavior influences decisions concerning his/her educational programs/activities or employment; or (3) creates an "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:~~

- ~~1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement;~~
- ~~2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual, or~~
- ~~3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive humiliating work environment for the recipient.²² For complete definition of sexual harassment, see NDSU Policy 162 Sexual Harassment (www.ndsu.edu/fileadmin/policy/162.pdf).~~

~~Please note that s~~Sexual harassment in electronic forms also is prohibited under NDSU Policy 710 – Computer Facilities, www.ndsu.edu/fileadmin/policy/710.pdf.

Individuals concerned about equal opportunity violations ~~of this policy~~ should request assistance from the university's vice president for equity, diversity and global outreach, university's general counsel, Counseling Center, Disability Services Office, or an appropriate administrator/office. ~~When administrators or supervisors become aware of occurrences of sexual harassment in their areas, they are responsible for stopping the behavior or reporting it to the executive director and chief diversity officer.~~ In addition, the university's equal opportunity grievance procedure ~~shall be~~ is available for any person ~~who wants~~ wanting to file a complaint alleging ~~a violation of this policy.~~ discrimination, harassment, sexual harassment or retaliation.

See related policy, "Consensual Relationships," (www.ndsu.edu/policy/162_1.pdf) Section 162.1 of the NDSU Policy Manual. Consensual relationships are defined as those romantic or sexual relationships in which both parties appear to have consented, but where there is a definite power differential within the University

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between the two parties. The actual or perceived imbalance of power that exists in a relationship when one of the parties in the relationship is an instructor or supervisor (including graduate assistants) and the other is a student or supervisee. Where a power differential exists, the instructor (including graduate assistants) or supervisor must report the matter, as soon as possible, to his/her immediate supervisor so appropriate steps may be taken. Accordingly, suitable arrangements will be made for the objective evaluation of the student's, employee's or prospective employee's academic or job performance and for the protection of individual and University interests. A copy of this policy may be requested from the Dean of Student Life Office, Memorial Union 250.

5.7.43.42 Other Prohibited Acts of Harassment

Any action or any series of actions that interferes with individuals' academic efforts, employment, personal safety or participation in university sponsored co-curricular activities is prohibited.

5.83.39 Disorderly Conduct

Disorderly conduct is behavior that intentionally or recklessly creates a risk of public inconvenience, annoyance or alarm without proper authority. These behaviors are prohibited and include, but are not limited to, fighting, engaging in violent behavior, making unreasonable noise, obstructing vehicular or pedestrian traffic, disturbing a lawful assembly, and streaking.

Students may also be charged with Disorderly Conduct for participating in or hosting noisy or loud parties or other public disturbances on or off campus. Loud parties consist of two or more individuals whose conduct leads to noise complaints.

3.43 Stalking

5.93.44 Lewd or Obscene Behavior

Lewd or obscene behavior that flagrantly flaunts community standards with respect to sexuality is prohibited. Lewd behavior includes, but is not limited to, sexual acts in public places, ~~public urination~~, and exposing genitalia.

5.103.45 Sexual Assault/Sexual Misconduct/~~Sexual Acts and Title IX Compliance~~

~~A goal of North Dakota State University (NDSU) is to create a campus community free from interpersonal abuse including sexual assault. NDSU commits its resources to the following threefold process: 1) to provide crisis intervention for victims, 2) to provide a disciplinary response for alleged offenders, and 3) to educate and promote discussion on interpersonal abuse and violence.~~

5.10.1 Sexual Assault and Sexual Misconduct

- ~~a) Sexual assault or sexual misconduct, in any form, is prohibited.~~
- ~~b) Non-contact sexual misconduct, in any form is prohibited.~~
- ~~c) The abuse of alcohol or other substances does not relieve individuals of their responsibilities to themselves or others.~~

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Note: Sexual harassment is addressed by Policy #162, NDSU Policy Manual.

For purpose of this policy, the following definitions apply:

1. Sexual Assault is any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:

- Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;
- Use of intoxicants to substantially impair the person's power to give consent;
- Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact this — includes, but is not limited to, situations when an individual is intoxicated, "high," scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or
- When the victim is under fifteen (15) years of age.

2. Sexual Misconduct occurs when a sexual act is committed without intent to harm another and when by failing to correctly assess the circumstances, a person believes unreasonably that consent was given without having met his/her responsibility to gain effective consent. Situations involving physical force, violence, threat or intimidation fall under the definition of Sexual Assault, not Sexual Misconduct, and will be treated as such under these procedures.

3. Sexual Act includes, but is not limited to:

- Sexual intercourse
- Sodomy (oral and/or anal);
- Sexual penetration with any object;
- Touching of a person's intimate parts (genitalia, groin, breast, buttocks, or clothing covering them), or
- Compelling a person to touch his or her own or an — other person's intimate parts without consent.

4. Non-contact Sexual Misconduct violations include, — but are not limited to:

- Peeping;
- Indecent exposure, or
- Recording or photographing individuals within premises where there is a reasonable expectation of privacy with respect to nudity and/or sexual — activity, without the knowledge and consent of all participants subject to such recordings.

5. Consent means words or actions that show a voluntary agreement to engage in mutually agreed upon sexual activity. Consent is an affirmative decision given by clear actions or words. It is important to obtain explicit consent from any sexual partner, and not to make assumptions. If confusion or ambiguity on the issue of consent arises any time during the sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Consent may not be inferred from silence, passivity, or lack of active resistance alone. Furthermore, a current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual act does not imply consent to other forms of sexual activity.

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North Dakota State University (NDSU) strives to create a campus community free from interpersonal abuse including sexual misconduct. In working to achieve this intent, NDSU commits to:

- a) Taking action to stop sexual misconduct;
- b) Taking action to remedy its effects by providing advocacy, support and appropriate referral services for recipients of the behavior;
- c) Taking action to prevent recurrence;
- d) Educating individuals and promoting discussions on interpersonal abuse and violence; and
- e) Conducting impartial investigation of all reports/notices of sexual misconduct through fair, equitable and prompt procedures. Investigations will be independent of and separate from law enforcement investigations of criminal activity.

This policy is required by federal law and implementation of this policy is guided by the U.S. Department of Education, Office of Civil Rights.

- a) Sexual misconduct is prohibited in all forms, regardless of intent to harm. Sexual assault, sexual exploitation, coercion and sexual harassment are examples of sexual misconduct, and all are prohibited.
- b) Also prohibited under Title IX is any rule violated on the basis of the recipient of the behavior's sex/gender which is severe enough to cause a discriminatory effect. (Examples of this may include but are not limited to bullying, cyber-bullying, relationship violence, and stalking.)

For purpose of this policy, the following definitions apply:

Consent is:

- a) Words or actions showing a clear, knowing and voluntary agreement to engage in mutually agreed upon sexual act; or
- b) An affirmative decision given by clear actions or words.
- c) Consent may not be inferred from:
 - Silence, passivity, or lack of active resistance alone.
 - A current or previous dating or sexual relationship.

NOTE: It is important to obtain explicit consent from any sexual partner and not to make assumptions. If confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential

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that each participant stops and clarifies, verbally, willingness to continue. Consent to one form of sexual act does not imply consent to other forms of sexual act(s).

Sexual Acts include, but are not limited to the following actions:

- a) Sexual intercourse;
- b) Sodomy (oral and/or anal);
- c) Sexual penetration with any object;
- d) Sexual touching of a person's intimate parts (genitalia, groin, breasts, buttocks, mouth or other bodily orifice or the clothing covering them); or
- e) Compelling a person to touch his or her own or another person's intimate parts.

Sexual Assault: Any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:

- a) Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;
- b) Use of intoxicants to substantially impair the person's power to give consent;
- c) Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact. This includes, but is not limited to, situations when an individual is intoxicated, "high", scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or
- d) A victim under fifteen (15) years of age. (Do note the age of consent may vary depending on the ages of the individuals involved in the act.

Sexual Exploitation: Taking sexual advantage of another person without consent. Examples include, but are not limited to:

- a) Causing the incapacitation of another in order to take sexual advantage of the person;
- b) Distributing or publishing sexual information;
- c) Engaging in indecent exposure;
- d) Engaging in voyeurism (the viewing of another for sexual gratification);
- e) Invasion of sexual privacy;
- f) Knowingly exposing another to a Sexually Transmitted Infection (STI) or HIV;
- g) Prostituting another person; or
- h) Recording, photographing, or relaying sexual sounds or images.

Sexual Misconduct: Any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome that is sufficiently severe, persistent, or pervasive so as to limit a student's ability to participate in or benefit from an NDSU program or activity. Depending on the

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circumstances, a single incident of sexual misconduct may be sufficient to limit a student's ability to participate in or benefit from an NDSU program or activity.

Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. Anyone who becomes aware of a Title IX complaint or violation of this policy and has the authority to take action on the complaint or violation, shall report the complaint or violation either to the Title IX Coordinator or a Deputy Title IX Coordinator:

Vice President for Equity, Diversity and Global Outreach/Title IX Coordinator

Old Main 205

Phone: 701-231-7708

Dean of Student Life/Deputy Title IX Coordinator

5.113.46 ~~Endangerment of Individuals~~ or Safety of Individuals

- ~~5.11.1~~ Initiating or circulating a report or warning concerning an impending bombing, a fire, or other emergency or catastrophe knowing that the report is false, or knowingly transmitting such a false report to an official or an official agency, is prohibited.
- ~~5.11.2~~ Willful failure to comply with orders issued by any emergency personnel during any real or perceived emergency condition is prohibited. Examples include, but are not limited to, tornado, fire, fire drill, bomb threat or situations requiring shelter in place.
- ~~5.11.3~~ Tampering with any fire protection sign or device or any other emergency equipment, including, but not limited to, fire extinguishers, fire hoses, smoke/heat detectors, sprinkler systems and other alarm systems, for reasons other than an actual or perceived emergency, is prohibited.
- ~~5.11.4~~ Tampering with elevator controls, elevator shaft access, and/or other elevator equipment by acts including, but not limited to, jumping, elevator surfing, falsely sounding alarms and stopping between floors, is prohibited.
- ~~5.11.5~~ Willful failure to follow safety standards is prohibited.
- ~~5.11.6~~ Creating a risk of bodily harm or falsely creating the impression of risk of bodily harm to

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others is prohibited.

- ~~Knowingly focusing, pointing or shining a laser pointer at an aircraft or at a person is prohibited. A laser pointer is any device that creates a visible light used for aiming, targeting or pointing out features.~~

3.47 Hazing

5.11.73.48 Sporting Activity Restrictions

Riding skateboards or scooters and using in-line skates, roller skates, and bicycles are prohibited inside all university facilities. Use of water guns, water balloons and throwing of flying discs, balls or other objects also are prohibited indoors, except when authorized. Use of projectile launchers is prohibited on campus without documented permission by an appropriate university official. Launchers may include those intended for water balloons, potatoes, pumpkins and other items. For guidance, contact the director of University Police and Safety Office.

5.123.49 Weapons/Firearms/Explosives/Other Weapons

Unauthorized and/or illegal possession, display or use of firearms, explosives or other weapons ~~on university owned or controlled property, including in personal vehicles,~~ is prohibited, ~~unless permission for possession and/or use has been granted by an appropriate university official.~~

- ~~5.12.1~~ Firearms and weapons include, but are not limited to, airsoft guns, BB guns, dart guns, handguns, paint ball guns, pellet guns, rifles, shotguns, stun gun or similar device designed to deliver an electric shock, daggers, knives, sabers, swords, and bows and arrows.
- ~~5.12.2~~ Explosives include, but are not limited to, bombs, explosives, fireworks and other incendiary devices. Incendiary devices are defined as any flammable liquid enclosed in a readily breakable container that can be equipped with an igniter of any type.
- ~~5.12.3~~ Other weapons include, but are not limited to, martial arts implements, dangerous fuels and chemicals, ~~such as mace or pepper spray~~. Any object may be considered a weapon when used to inflict or threaten infliction of bodily injury or property damage.

5.12.4 Projectiles

- Throwing or casting any object into, upon or against any building, structure, motor vehicle or at any person is prohibited.

This policy shall not prohibit persons or student organizations from possessing, storing or using weapons at approved locations for the purpose of meeting requirements of educational programs and/or a student group recognized by the university. For authorization, contact the director of the University Police and Safety Office.

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~~5.12.5.~~ The University Police and Safety Office provides limited, temporary storage space for on-campus residents ~~to store ammunition and sporting arms, such as those used for hunting and other shooting sports, on a first come, first served basis. Individuals requesting to use the space will be required to pass a background check and provide photo identification. Weapons must be cased, unloaded and transported out of plain sight by vehicle for check-in/check-out at the Auxiliary Enterprises building. Carrying of the cased weapon, with the exception of to and from the vehicle parked next to the Auxiliary Enterprises building in the AE lot, is prohibited. Weapons are not to be transported on campus.~~ Weapons should be checked in immediately upon arrival to NDSU and checked-out immediately prior to leaving the campus. An officer must be present for check-in/check-out. The University Police and Safety Office is open and available for check-in/check-out on a 24/7 basis. ~~Additional requirements are outlined on the On-Campus Resident Student Temporary Weapon/Ammunition Storage Procedure Signature Form at www.ndsu.edu/police_safety/universitypolice/Index.shtml.~~

5.133.47 Hazing

Hazing is prohibited regardless of location, intent or consent of participants. Hazing is defined as any action or situation that intentionally or unintentionally endangers a student for admission into or affiliation with a student organization or group. Such activities and situations include, but are not limited to, paddling in any form; creating excessive fatigue; forced consumption of any substance; forced road trips; morally degrading, demeaning, unsanitary, humiliating games or stunts; and harassment, ridicule or other activities prohibited by law or university policy.

~~5.13.1~~—It is the responsibility of the organization and its leadership in conjunction with the (inter)national organization, if any, to protect potential members, members or other persons associated with the organization from any hazing activity or practice conducted, condoned, or encouraged by the current members of the organization, alumni or other associates.

~~5.13.2~~—The university or individuals may file a complaint of hazing with the Dean of Student Life Office. ~~Individuals and/or groups may also be subject to criminal and/or civil liability beyond the jurisdiction of the university.~~

5.143.43 Stalking

Stalking is prohibited. ~~As used in this code, “stalk”~~Stalking means to engage in an intentional, unwanted course of behavior directed at a specific person or persons that is reasonably frightenings, intimidatings or harassings in nature that person, and ~~that~~ serves no legitimate purpose. The course of behavior, involving must include at least two or more acts/separate incidents, ~~may be directed toward that person or a member of that person’s immediate family. “Immediate family” means a spouse, parent, child or sibling. The term also includes any other individual who regularly resides in the household or who within the prior six months resided in the household.~~

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~~Stalking generally causes a reasonable person to experience fear, intimidation, harassment or to be the object of unwanted attention. Stalking behaviors may~~and includes, but ~~are is~~ not limited to:

- a) Approaching, following, loitering, pursuing or restraining behaviors;
- b) Repeated unwanted electronic communications using email, telephone calls, social media and text messages;
- c) Sending unwanted gifts;
- d) Trespassing and
- e) Vandalism.

An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is evidence of intention to stalk the person.

This behavior is prohibited regardless if there was no intention to frighten, intimidate or harass, and regardless if actual notice was given that a person did not want to be contacted or followed.

5.14.1—No Notice/No Intent

~~In any proceeding under this section, it is not a defense that no actual notice was given that the person did not want to be contacted or followed; nor is it a defense that there was no intention to frighten, intimidate or harass the person. An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is evidence of intention to stalk the person.~~

5.14.2—Legal Exclusions

- a) ~~Excluded are constitutionally protected behaviors . If a person claims to have been engaged in a constitutionally protected activity, the hearing officer or body shall determine the validity of the claim and, if found valid, shall exclude evidence of the activity.~~
- b) ~~In any proceeding under this code, it is a defense that a licensed private investigator or a peace officer licensed under law was acting within his/her scope of employment.~~

5.15—On-Campus Housing Security Efforts

~~All students will be held accountable for their behaviors in residence halls and university apartments. Off-campus students will be referred to the Dean of Student Life Office for action. All students and their guests need to cooperate with efforts to establish a secure campus by complying with policies and cooperating with residence life staff.~~

5.15.1 Keys/Access

5.15.1.1 Keys/Access Cards

~~Students are not permitted to duplicate keys/access cards. Students also are not allowed to loan keys/access cards to other individuals. Students are expected to be responsible for their keys/access cards and security of their rooms and apartments. Students who repeatedly find themselves locked out of their rooms or apartments are subject to sanctions under this code.~~

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5.15.1.2 Escorting of Guests

~~Entrance doors for the residence halls and university apartment buildings are locked 24 hours a day. Guests must meet their resident host at an entrance door to gain entry into the building. A resident must escort non-residents at all times.~~

~~Students are not allowed to prop open doors or allow unauthorized persons into on-campus housing facilities.~~

5.15.2 Guests and Visitation

~~Residents are responsible for knowing the identity of their guests and are responsible for guest behaviors. Residents are held liable for loss or damages to property caused by their guests.~~

5.15.3 Overnight Guests

~~Guests of the same sex are permitted to stay overnight with approval from residence life staff. Residents must register their overnight guests prior to the stay. Guests may not stay more than three consecutive nights. Overnight guests of the opposite sex are not permitted.~~

5.15.4 Quiet Hours/Noise

~~Residents and guests must respect quiet hours in each of the on-campus housing facilities. Specific quiet hours are posted. Courtesy hours are in effect 24 hours a day to allow students to pursue their academic studies and promote a comfortable living environment.~~

5.15.5 Candles and Incense

~~Candles and incense are not allowed in on-campus housing facilities. Open flames also are prohibited.~~

IV. 6. Respect for Community and Protection of the Rights of Others by Student Organizations /Activities and Affiliated University Groups

~~This section communicates the importance of conducting organizational business and activities in a manner that does not negatively affect the educational mission of the university and the welfare of others, or infringe upon the rights of others. Student organizations are recognized by the Student Government Executive Commission of the Congress of Student Organizations and are independent of NDSU. Because of their relationship with the university, organizations are expected to uphold and comply with university policies and the Code of Student Behavior.~~

6.14.1 Responsibilities of Student Organizations and Affiliated University Groups

~~6.1.1~~ A student organization or a group affiliated with the university shall be deemed responsible for acts of ~~inappropriate behavior~~ **prohibited conduct** committed by individuals where such acts:

- a) Are mandated, sponsored, approved, or encouraged by the group or organization, whether explicitly or implicitly; ~~and/or~~
- b) Take place in the context of a tradition, custom or past practice of the group or organization; ~~and/or~~
- c) Are reasonably foreseeable as a result of an activity carried on by the student organization or affiliated university group.

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~~6.1.2~~ Students residing in properties owned by organizations or groups affiliated with the university will be held responsible for their ~~behavior—conduct~~, ~~behavior—conduct~~ of their guests and controlling access to their premises.

~~6.2.4.2 Student Organizations and Affiliated University Group Compliance with University Policy~~

Student organizations and affiliated university groups must be in compliance with university policies, procedures and regulations. Prohibited ~~behaviors—conduct~~ includes, but ~~are—is~~ not limited to, misappropriation of funds, misuse of property, improper registration or misrepresentation of an organization or group, or abuse of student election regulations.

~~6.3.4.3 Conflict—Conduct Resolution and Enforcement Procedures for Conflicts by Student Organizations and Affiliated University Groups~~

For information concerning the ~~conflict—code~~ resolution procedure(s) to be utilized, refer to ~~Section 15 Part V, Code of Student Behavior—Complaint Resolution—Procedures~~ and ~~Part VI, Conduct Board Procedures~~.

~~6.3.1~~—When a student organization or an affiliated university group is charged with ~~inappropriate behavior—prohibited conduct~~, the presiding officer or individuals affiliated with the group shall be required to participate as representatives of the group in proceedings conducted under this code.

~~6.3.2~~—In some cases, organizational officers or members also may be charged with individual violations related to the original incident involving the organization, in separate proceedings.

~~6.3.3~~—Because ~~behavioral—Conduct~~ records of student organizations are not protected by the Family Educational Rights and Privacy Act (FERPA), ~~complainants—are any individual is~~ entitled to learn the results of ~~behavioral—conduct~~ actions taken against student organizations as long as those disclosures do not compromise the privacy of any individual student's education record. In such situations, federally protected individual names will be removed.

4.4 Recognition

~~7. Student Organizations/Fraternalities and Sororities/Activities~~

~~Recognition requirements and procedures (for guidance, consult with staff in the Memorial Union Student Activities Office):~~

~~7.14.5 Membership~~

~~7.1.1 Membership in Student Organizations with NDSU Recognition~~

Membership must be limited to current students, faculty and staff of NDSU. Students who transfer to another Tri-College institution who want to retain membership in an NDSU registered student organization may be eligible for on-going membership, contingent upon approval from the dean of student life. In the case of dual college or tri college recognized student organizations, membership criteria as defined in the CSO guidelines must be met.

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~~7.1.2 Membership in Student Organizations with Tri-College/Dual-College Recognition~~

~~Organizations that want to recruit and maintain membership of students from other Tri-College institutions must obtain Tri-College or Dual-College recognition. Membership in Tri-College organizations is open to full-time or part-time currently enrolled NDSU and Minnesota State University Moorhead (MSUM) students, full-time Concordia College students, and faculty/staff from Concordia College, MSUM or NDSU. Membership in Dual-College organizations must be consistent with membership guidelines at the respective institutions (see Tri-College/ Dual-College Organization Recognition Guidelines and Procedures: www.ndsu.edu/memorial_union/thundarbolls/).~~

~~7.1.3 Membership in Social Fraternities and Sororities~~

~~Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College/Dual-College recognition; membership is limited to students enrolled at NDSU.~~

~~7.2 Officers~~

~~Students holding elected or appointed leadership positions in recognized student organizations must meet the academic and conduct eligibility standards identified in Eligibility/Participation in Co-Curricular Activities Policy.~~

~~7.34.4 Recognition~~

Recognition of student organizations is granted by the Student Government Executive Commission of the Congress of Student Organizations and registered in the Student Activities Office in the Memorial Union. Although student organizations are independent organizations from NDSU, they are expected to uphold and comply with university policies, the Code of Student Behavior-Conduct, and local, state and federal laws.

~~7.3.1~~ Student organization purposes must be compatible with the educational mission and purpose of the university.

~~7.3.2~~ Students and student organizations are free to examine and express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt regular and essential operations of the university. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

~~7.4.4.6 Registration Requirements~~

The following information must be electronically filed with the Student Activities Office.

~~1-a. Organization~~ Registration form ~~with the following:~~

- ~~a) Name of the organization;~~
- ~~b) List of officers and their signatures;~~
- ~~c) Name and signature of an adviser, selected from the faculty or staff, or another designee as approved by the Student Activities Office staff; and~~
- ~~d) Tri-College/Dual-College Organization Registration Form (applies only to groups that want to obtain or maintain Tri-College/Dual-College recognition).~~

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~~2.b.~~ Signed agreement by local student organization officers that there will be no illegal discrimination on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation or status as a U.S. veteran, or any form of discrimination in the selection of members or officers on a local level.

~~3.c.~~ Signed agreement by local student organization officer(s) that there will be no participation in any activities that could be considered hazing.

~~4.d.~~ Request to check Eligibility for Participation Form.

5. Copy of the constitution. Constitutions shall be submitted for record every three years, even if no changes are made.

Students holding elected or appointed leadership positions must meet the following academic and good conduct eligibility standards:

a. Students in leadership positions must have attained and must maintain during the term of participation a minimal cumulative grade average of 2.0.

b. Students in leadership positions must be enrolled for and maintain a minimum of nine (9) semester credits during the term of participation and have successfully completed nine (9) credits from the most previous semester.

c. Students in leadership positions must be in good conduct standing with the Office of the Dean for Student Life.

Additional information regarding eligibility for participation in co-curricular activities can be found on the Student Life webpage at

[www.ndsu.edu/student_life/policies_and_forms/eligibility_for_participation_in_co_curricular_activities/.](http://www.ndsu.edu/student_life/policies_and_forms/eligibility_for_participation_in_co_curricular_activities/)

~~7.4.1 Registration information will be renewed annually and a list of officers must be submitted to the Student Activities Office at the time of election or appointment of officers.~~

~~7.4.2 Membership, policies and actions of recognized student organizations will be determined by currently enrolled student group members.~~

7.54.7 National/International Affiliated Organizations

National/international affiliated organizations must uphold the policies and procedures of their national/international organizations in addition to university policies and procedures. University policies will supersede in the case of conflicting policies.

7.64.8 On and Off Campus Activities/Events

Insert text from current section 8.4 Chalking and 8.5 Posters, Signs , Leaflets

~~Responsibilities of officers of the organization include:~~

~~1. Reserve facilities for organization meetings and functions;~~

~~2. Prepare and file with the Memorial Union Student Activities Office an Event Risk Management~~

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~~Planning Notification Form, no later than two weeks prior to an off campus event;~~

~~3. Take initiative to ensure compliance with policies;~~

~~4. Seek assistance from staff in the Memorial Union Student Activities Office, as necessary;~~

~~5. Communicate policies to the organization's membership;~~

~~6. Encourage the organizational adviser(s) to be present; and~~

~~7. Take responsibility for group functions.~~

~~Refer to section 4.3.6 for off-campus events at which alcohol may be available.~~

7.74.9 Fraternities and Sororities

7.7.1 Membership

Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College/ Dual-College recognition; membership is limited to students enrolled at NDSU.

7.7.2 Residents of Greek Chapter Houses

Only initiated member(s) of that chapter currently enrolled at NDSU, or a house employee, may reside in the house during the fall and spring semesters without authorization from the dean of student life and by chapter leadership.

7.7.3 Summer Rules

Fraternity and sorority presidents are to furnish names of the summer house managers to the coordinator for Greek life, Memorial Union. Chapter leadership is required to inform summer residents of university and Greek life policies.

7.7.4 Alcohol and Other Drugs

Fraternity Houses – No alcoholic beverages ~~or drugs~~ are permitted in common areas of chapter property at any time. Members who are 21 years of age may consume alcohol in the privacy of their rooms/suites with no more than three non-room/suite residents who are also 21 years of age or older. If multiple individuals live in one room/suite, all residents must be 21 years of age or older. Illegal drugs are not permitted on chapter property at any time.

Sorority Houses – National ~~PanHellenic~~ Panhellenic Conference ~~rules policy prohibit alcohol and requires~~ alcohol free facilities for all chapter houses. Illegal drugs are not permitted on chapter property at any time.

7.7.5 Code Violations

As is the case with all university student organizations, fraternities and sororities will be held responsible for any conflicts with university policies occurring in Greek residences or at functions or social events sponsored by chapters.

8.4.10 Commercial Solicitations and Distribution Issues

See NDSU Policy 154 Distribution of Literature (www.ndsu.edu/fileadmin/policy/154.pdf)

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~~NDSU reserves the right to control the time, manner, and place of commercial solicitation, distribution of literature and demonstrations occurring in public on the NDSU campus. Advance registration of such activities and events is required.~~

~~Failure to register an activity or event or failure to comply with NDSU time, manner and place restrictions may result in administrative, civil and/or criminal proceedings for any participants engaging in disruptive activities. Such activities may result in university conflict resolution proceedings, issuing a no trespass warning and removal from campus, and/or arrest by law enforcement personnel.~~

~~8.1 Commercial and Fundraising Activities~~

~~See NDSU Policy 150 [Commercial and Fundraising Activities](http://www.ndsu.edu/policy/150.pdf) (www.ndsu.edu/policy/150.pdf).~~

~~8.1.1 Recognized Student Organizations~~

~~Recognized student organizations must register fundraising activities with the associate director of Memorial Union/Student Activities Office at least two (2) weeks prior to advertising or initiating fundraising efforts. In some instances, the Event Risk Management Planning Notification Form may be required. Activities or items associated with fundraisers must be consistent with university policies and local, state, and federal laws.~~

~~Student organizations may use university facilities for sponsoring events at which admission is charged or donations are solicited, provided 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.~~

~~8.1.2 Organizations Not Affiliated with NDSU and Individuals~~

~~Organizations not affiliated with NDSU and individuals (regardless of affiliation with NDSU) may not advertise, sell, conduct a business, or raise funds on campus or in a university residence without first registering and receiving written permission from the following: In university apartments, from the assistant director for residence life apartments. Commercial activities in public areas of university apartments will not be allowed. In residence halls, from the senior associate director of residence 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 bedrooms, corridors or suites. In the Memorial Union, from the Memorial Union director. 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 Wallman Wellness Center, from the director of the center. In all other areas, including exterior spaces, consult the Dean of Student Life Office for referral to the appropriate university official.~~

~~8.1.3 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,~~

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~~the sponsoring individual/group may be required to pick up discarded flyers or may be billed by the university for providing that service.~~

~~8.1.4 Raffles or Lotteries~~

~~Raffles or lotteries require a permit obtained from the City Auditor's Office. The associate director of the Memorial Union Student Activities also must sign the permit.~~

~~8.2 Solicitations/Distribution of Literature~~

~~8.2.1 All individuals or organizations responsible for distribution of literature on campus must be identified on the literature.~~

~~8.2.2 All individuals or organizations distributing literature will be responsible for cleaning up all litter resulting from its distribution. Clean-up costs will be assessed to any such person or group that does not clean up all such litter within a reasonable time.~~

~~8.2.3 Distribution by means involving shouting, pursuing, hawking, or accosting individuals is prohibited, as is any interference with normal university functions or interruption of free flow of traffic, inside or outside any building.~~

~~8.2.4 Commercial literature may not be sold or distributed on campus unless rules governing advertising in the section "Commercial and Fundraising Activities" have been followed (see Section 8.1).~~

~~8.2.5 Any person or groups of persons who want to distribute literature to the public in the Memorial Union may use the following methods:~~

- ~~a) Literature racks located 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 that want to utilize the 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 time 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:~~

- ~~1. Type, location, date(s) and time of distribution;~~
- ~~2. Copy of the literature;~~
- ~~3. Name of the organization represented, if any; and~~
- ~~4. Name, address and signature of the person or a group representative.~~

~~8.2.6 Literature may not be distributed in classrooms except by permission of the instructor or by registered student organizations at their scheduled meetings or events.~~

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~~8.2.7 Posters may be distributed on campus in designated locations only. A list of all on-campus posting locations is available in the Student Activities Office, Memorial Union 120. It is prohibited to place posters, signs, or handbills on areas not provided for that purpose by the university. To place flyers on bulletin boards in campus buildings, permission must first be obtained by contacting the appropriate administrative representative as designated on the distribution list (for additional information, see NDSU Policy 154: www.ndsu.edu/policy/154.htm).~~

~~8.2.8 Literature to be distributed within the residence halls or university apartments must be approved by the senior associate director of residence life.~~

8.3 Demonstrations/Parades

~~8.3.1 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 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 demonstrations. All members of the community are expected to conduct dialogs with civility. Organizers and participants must allow other community members freedom of movement on campus and freedom to engage in performance of their duties or pursuit of their educational and co-curricular activities.~~

~~8.3.2 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 staff and faculty of the university to engage in performance of their duties, and for students to pursue their educational and co-curricular activities. Impeding or restricting these activities by making excessive noise; blocking entrances or exits from university facilities; or using coercion, intimidation, threats or violence is unacceptable.~~

~~8.3.3 Organizers and participants are expected and required to vacate an area or university facility when directed to do so by an authorized official of the university or law enforcement personnel.~~

~~8.3.4 Any on-campus protest, rally, or demonstration must be registered with the director of the Memorial Union and University Police and, whenever possible, at least 24 hours prior to the event. The registration process will enable university officials to:~~

- ~~a) Outline and discuss with organizers the guidelines — necessary to keep the demonstration non-violent and non-disruptive;~~
- ~~b) Plan for the control of possible counter — demonstrations that would infringe upon the rights of participants or result in violent or abusive action;~~
- ~~c) If demonstration/parade will involve a public street, applicants also must obtain a City of Fargo special event permit. Parades through campus buildings are not permitted.~~

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8.4 Chalking

Individuals who want to chalk on sidewalks near the Memorial Union should seek permission from the director of the Memorial Union. Contact the director of facilities management to seek permission to chalk in any other area. Chalking on any other surfaces is prohibited. The content of messages is limited to the promotion of a specific event.

8.5 Posters, Signs, Leaflets

Placing posters, signs or leaflets, except on one's own personal property or in areas authorized and provided for that purpose by the university, is prohibited. Individuals should seek permission from those persons who have administrative control of that location. For guidance when this person is unknown, contact the Dean of Student Life Office.

9. Reporting, Investigating and Resolving Complaints V, Procedures

Insert current section 9.3 as amended

Complaint resolution procedures Reports and Investigations are used to determine whether a student is responsible for alleged violations of the Code of Student Behavior Conduct, and include the following purposes:

- a) To provide for the education of students;
- b) To promote the health, safety and well-being of university community members;
- c) To provide for fair inquiries concerning alleged violations of university policies;
- d) To determine whether or not any individual student has violated a university policy;
- e) To allow for consideration of extenuating or mitigating factors when a violation has been found to exist;
- f) To determine a resolution that will be appropriate; and
- g) To help the student make a constructive response toward self-discipline.

9.1-5.2 Reporting Alleged Violations

Complaints Alleged violations should be reported as soon as possible following the discovery of alleged inappropriate behavior prohibited conduct and may be initiated by law enforcement or any member of the NDSU community, including students, faculty, staff members and guests of the campus or other interested parties.

An alleged violation should be reported to the:

- a) Dean of Student Life Office, 250 Memorial Union, and/or
- b) Department of Residence Life, West Bison Court, and/or
- c) Memorial Union Administrative Office, 246 Memorial Union.

9.25.3 Investigationsg Reports of Alleged Violations

9.2.1 No form of harassment may be used by institutional representatives to coerce admissions of guilt or information about one's behavior—or that of other suspected persons.

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Investigation means to gather the facts, details and circumstances associated with a complaint. The investigation may include interviewing witnesses, review of documents or other steps that will assist the dean of student life and/or designee to determine whether charges are warranted. Dismissal of the complaint, an alternative resolution, or charges may result following an investigation. This determination is made at the discretion of the dean of student life and/or designee based on recommendations from investigators.

The University may independently investigate an allegation of student conduct, and may also initiate an investigation at the request of any member of the NDSU community or affected party. Student Life conduct officers and other designated university personnel are authorized to investigate alleged violations of the Code of Student Conduct.

Any person believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Failure to comply with a request to make and keep an appointment relevant to an investigation may result in a conduct hold being placed on a student's registration and records.

9.2.25.4 Searches and Seizure

University policy on the privacy of student rooms stipulates that entry and search of university residences by university officials will be permitted only in one or more of the following instances:

- a) The student consents to the search;
- b) The officials responsible fear an imminent danger to health, safety, life or property;
- c) The vice president for student affairs or designee provides a written administrative authorization specifying reasons for the search, objects of information sought and area to be searched; or;
- d) University officials fear imminent destruction of evidence relevant to a suspected violation of university regulationspolicies.

When students are suspected of violating NDUS or NDSU Acceptable Use Policies, student computers, associated peripheral devices, and media storage devices may be taken into temporary custody on authority of the Information Technology Services Officer (ITSO) to collect and preserve evidence of possible violations of local, state or federal laws (see NDSU Policy 158: Acceptable Use of Electronic Communications Devices: www.ndsu.edu/fileadmin/policy/158.pdf and State Board of Higher Education (SBHE) Policy 1901.2, Computing Facilities: www.ndus.edu/policies/ndus-policies/subpolicy.asp?ref=2551). If additional questions remain, contact the Information Technology Services Officer (ITSO).

The university requires that university officials notify the dean of student life and/or designee of searches. The university will not intervene between students and searches authorized under law by any law enforcement agencies. ~~At the conclusion of those actions, and w~~When provided information by law enforcement agencies, the university reserves the right to initiate action under this code when alleged violations of the code are believed to have occurred.

The right to inspect residence hall rooms and university apartments without notice is reserved by the university for purposes of maintenance, cleaning, fire, personal safety and administering provisions of the

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license contract. The university will provide reasonable notice, when possible. Such entry by the university shall not be regarded as a search, but is separately agreed to and authorized by the student through provisions in the residence life license contract. Items that pose an eminent danger to health, safety, life, or property may be taken into temporary custody of residence life staff, university police, or other emergency personnel.

9.3 Resolution of Conflicts

The ~~conflict code~~ resolution process generally includes the following steps:

- a) Receipt of an incident report,
- b) Creation of a conduct file,
- c) Implementation of interim actions, if necessary
- d) Investigation of incident, if necessary
- e) Notice of alleged violations,
- f) Prehearing conference,
- g) Hearing (administrative or ~~complaint resolution~~conduct board),
- h) Notification of findings, including sanctions, and terms and conditions, as assigned,
- i) Appeal (if student chooses),
- j) Notification of appeal decision (if applicable).

A detailed description of these steps ~~may be found in Section 11, Guaranteed Student Rights and Complaint Resolution Process~~is provided below. Cases related to Title IX compliance will require some modification of the resolution process, ass approved by the NDSU Title IX Coordinator.

5.1 Reporting and Investigating Complaints

5.5 Notice of Charges

5.6 Prehearing Conference

9.4 XI. Special Circumstances and Conditions

9.4.19.1 Registration/Graduation Hold

- a) If a student (new, current or returning) fails to respond to a request to meet to discuss an alleged violation of this code, or fails to comply with sanctions or terms and conditions assigned as a result of being found responsible for a violation of this code, a hold may be placed on the student's eligibility to register or the student's current registration may be canceled. If registration is canceled, eligibility for any refund of tuition/fees will be subject to the university's withdrawal policy.
- b) Students may not be permitted to graduate or officially withdraw from NDSU while disciplinary action is pending. If the student withdraws before NDSU becomes aware of the potential violation of this code, the student's academic records may be placed on hold and the allegations must be resolved prior to the student's readmission.

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9.4.29.2 Returning and/or New Students

If a student commits an act that violates this code during a period of nonenrollment, a registration hold may be placed to prevent the student's registration until a hearing may be held on that matter. The student may be notified about these holds at the time the university is first notified about the incident, or notice may be provided when the student subsequently requests enrollment. In addition, ~~an administrative hearing~~ conduct officer, in consultation with the dean of student life or designee, may place a registration hold to deny a student the eligibility to register. Reasons may include, but are not limited to, the student's arrest or when criminal charges are pending against the student, serious concerns arise about the health or safety of the student or others in the university community, and/or as otherwise provided by NDSU Policy 607- Admission & Re-enrollment Safety Risk; Background Checks www.ndsu.edu/fileadmin/policy/607.pdf.

9.4.39.3 Temporary Emergency Suspension

A student may be temporarily suspended, pending a hearing, when the student's actions or threats of action indicate a serious threat to the welfare and/or safety of persons or property. No hearing will be required before a temporary suspension is imposed; however, one will be convened within five business days following the suspension. If the suspension is upheld, the suspension remains subject to the rules outlined in ~~Behavioral Conduct~~ Suspension (see Section ~~10.1.47.1~~) and remains a matter of permanent record.

Conditions under which emergency suspension may be imposed:

- a) To ensure the health, safety or well-being of members of the university community,
- b) To preserve university property,
- c) To ensure the suspended student's own physical and emotional safety and well-being, or
- d) To ensure against the disruption of, or interference with, the normal operations of the university.

9.4.49.4 Administrative Withdrawal for Psychiatric Reasons

A student may be subject to administrative withdrawal, if it is determined by clear and convincing evidence, that the student: suffers from a mental disorder as defined by the current American Psychiatric Association Diagnostic Manual and as a result of such a disorder engages, or threatens to engage in behavior that:

- a) Poses a significant danger of causing imminent harm to the student or others, or
- b) Directly and substantially impedes the lawful activities of other members of the campus community.

These standards do not preclude North Dakota laws. Consideration will be given first to use of normal disciplinary processes of counseling, voluntary withdrawal, use of state commitment laws (NDCC 25.03.1), or use of other alternatives whenever appropriate.

9.4.4.1 Disciplinary Conduct Violations

A student accused of violating this code may not be subject to the disciplinary process if the student, as a result of a mental disorder:

- a) Lacks the capacity to respond to pending disciplinary charges, or
- b) Lacks the capacity to know the nature or wrongfulness of the conduct at the time of the offense. Students subject to disciplinary charges who wish to introduce relevant evidence of any mental disorder must so inform the dean of student life in writing at least two business days prior to any ~~disciplinary conduct~~

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hearing. The dean of student life may elect to appoint a designee to act in administering this policy. If the dean of student life determines that the evidence may have merit, the case will then be resolved in accordance with these standards and procedures. If it is determined the student does not meet the criteria mentioned above, the case will be returned to the disciplinary process.

9.4.4.2 Evaluation Referral

The dean of student life may refer a student for an evaluation by an independent, licensed psychiatrist or psychologist chosen by the institution if the dean of student life reasonably believes the student may meet the criteria in Section 9.4.49.4, or if a student subject to disciplinary-conduct charges wants to introduce relevant evidence of any mental disorder. A student referred for evaluation will be informed in writing by NDSU email and the evaluation must be scheduled no later than five days from the date of the referral letter. The evaluation will be at the student's expense. If a student fails to complete an independent evaluation, he or she may be subject to the disciplinary-conduct process or an immediate interim withdrawal.

9.4.4.3 Interim Withdrawal

As stated above, an interim withdrawal may be implemented if a student fails to complete an evaluation with a licensed psychologist or psychiatrist. Also, an interim withdrawal may be undertaken immediately if the dean of student life determines a student may be suffering from a mental disorder, and the student's behavior-conduct poses an imminent danger.

A student subject to interim withdrawal shall be given written notice and may be assisted throughout this process by an individual of his or her choice. The student, whether or not an evaluation has been completed, shall be given the opportunity to appear personally before the dean of student life within 72 hours of the effective date of the interim withdrawal to review:

- a) Reliability of the information concerning the student's behavior-conduct, and
- b) Whether the student's behavior-conduct poses an imminent danger.

During an interim withdrawal, the dean of student life may place restrictions including, but not limited to, class attendance and use of campus services and facilities.

9.4.4.4 Involuntary Withdrawal

A student under consideration for involuntary withdrawal will be accorded an informal hearing-conference with the dean of student life or designee. The informal hearing-conference will be held within seven business days after an evaluation by a licensed psychologist or psychiatrist has been completed. Prior to the informal hearing-conference, the dean of student life and the student will have an opportunity to review independently the psychological or psychiatric evaluation.

- a) The dean of student life conducts informal hearing-conference proceedings. An individual of his or her choice may assist the student in the informal hearing-conference. The student will remain withdrawn on an interim basis pending completion of the informal hearing-conference.

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b) A written decision shall be rendered by the dean of student life containing a statement of reasons for any determination leading to involuntary withdrawal. The student also should be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement. The student may appeal the decision to the [vice president for student affairs](#).

9.5 Negotiated Withdrawal

In rare circumstances a student may be allowed to negotiate a mutually agreed upon withdraw for a specified period of time. Other conditions may also need to be met prior to application for reenrollment. Such conditions will be provided to the student in writing at the time of the negotiated withdrawal.

This action results in no notation on the student's academic transcript; however, in instances involving interpersonal violence or felony level criminal conduct, charged or uncharged, a transcript notation may be applied at the discretion of the dean of student life or designee, "may not register for non-academic reasons." The dean of student life or designee will determine whether this notation will remain on the transcript, should the student later be readmitted.

A student requesting readmission will be required to meet with the dean of student life or designee prior to approval of the student's petition for readmission. The student must be academically eligible for readmission to NDSU and may be required to pass a criminal background check at the student's expense prior to admission.

9.59.6 Interim Actions

In the interest of safety and security, interim actions may include the issuance of a No Contact Order and/or loss of privileges as defined in [Section 10.2.6 Part VII](#).

9.69.7 Crimes of Violence

The term "crime of violence" means:

- a) An offense that has an element of use, attempted use, or threatened use of physical violence against the person or property of another, or
- b) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

Examples include, but are not limited to, arson, auto theft, assault, aggravated assault, burglary, kidnapping/abduction, manslaughter, murder, resisting arrest through the use or threat of physical force, robbery, vandalism, and forcible and nonforcible sexual offenses.

In cases of crimes of violence, the dean of student life may increase, but not decrease, timelines stated in the code and may determine by whom the case is heard.

9.6.19.8 Notification of Hearing Outcomes for Crimes of Violence

Individuals who are victims of crimes of violence have a right to be notified of the outcome of complaint resolution procedures, upon written request to the dean of student life. If the [complainant-victim](#) is

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deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Notification shall be limited to the responsible student(s), part(s) of the code violated, and assigned sanction(s). ~~Complainants-Individuals~~ in receipt of this information may assume personal civil liability for releasing this information to others.

9.79.9 Conditions Under Which Emergency Suspension May Be Imposed:

- a) To ensure the health, safety or well-being of members of the university community,
- b) To preserve university property;
- c) To ensure the suspended student's own physical and emotional safety and well-being, or
- d) To ensure against disruption of, or interference with, normal operations of the university.

No hearing will be required before emergency suspension is imposed; however, one will normally be convened within five business days following the suspension. In unique circumstances, any alteration to this timeline will be at the discretion of the dean of student life. If the suspension is upheld following the hearing, the suspension remains subject to the rules outlined in ~~Behavioral-Conduct~~ Suspension (Section

~~10.1.47.1~~) and remains a matter of permanent record ~~(see Section 17.1.2 for a definition of permanent record).~~

9.89.10 Incarcerated Students

In cases involving incarceration, a hearing will be held when the student is available for a hearing. Under these circumstances, the dean of student life or designee may determine that an administrative hearing be held rather than a ~~Code of Student Behavior Complaint Resolution~~Conduct Board hearing.

9.95.10 Default Proceedings ~~for Current Students~~ and Unresolved Charges

~~A-When a student/organization who fails to appear for a hearing appointment without advance notice, or leaves the university with unresolved charges will be considered in default the conduct officer or a conduct board may make a decision in the student/organization's absence, providing the student/organization was issued an advance written notice of the date, time and place of the scheduled hearing via the NDSU email system. The case may be decided based on information available at that time. Default decisions may be reexamined only when the student shows the absence was for reasonable cause.~~

9.10 Student/Organization Leaves the University with Unresolved Charges

~~When a student/organization leaves the university with unresolved charges, the administrative hearing officer or a complaint resolution board may make a decision in the student/organization's absence, providing the student/organization was issued an advance written notice of the date, time and place of the scheduled hearing.~~

In certain cases, the ~~administrative hearing~~conduct officer reserves the option to place a registration hold on the student's records and archive the case until such time the student requests re-registration or a

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resolution of the pending matter. The ~~administrative hearing conduct~~ officer also may place a notation, “may not register for non-academic reasons,” after recommendation to and approval from the dean of student life or designee.

9.115.11 Student Organizations in Default

In the event a student organization becomes inactive rather than appear for a hearing, the default decision will typically be withdrawal of recognition granted by the Congress of Student Organizations. In addition, officers of the organization at the time of the incident may face conduct proceedings individually for failure to comply (see Section ~~3.214.11~~) and also may be charged with one or more of the original alleged violations of the code arising from the alleged misconduct by the organization. ~~If found responsible for this violation, the original incident that led to allegations against the student organization will be considered in the determination of sanctions for the organizational officers.~~

If the organization requests registration at a later date, the dean of student life or designee will assign a ~~hearing conduct~~ officer to meet with the student organization leadership to determine responsibility for the original charges, determine or recommend the appropriate sanction, and if that sanction is less than suspension or expulsion, will assess the need for any current remedial actions.

~~10. Code of Student Behavior VII. Sanctions, Terms~~ and Conditions

A sanction is a consequence placed upon any student for ~~conflicts with violations of~~ specified university policies. Sanctions help define the student’s relationship with the university in the context of current and potential future ~~behavior conduct~~, including a notice that further ~~conflicts violations~~ may lead to more severe ~~behavioral conduct~~ sanctions.

If a student is found not responsible for the alleged code violation(s), no action will be taken against the accused student; however, having been through the Code process, the student is considered knowledgeable regarding the Code’s provisions and expectations, and that knowledge may be taken into consideration in the event of future Code actions.

In cases in which the student is found responsible for violating one or more policies, a sanction may be imposed. The sanctions listed below are assigned based on the severity of the incident and/or past conduct history:

1. Warning,
2. ~~Behavioral Conduct~~ probation,
3. Supervised ~~behavioral conduct~~ probation,
4. ~~Behavioral Conduct~~ suspension,
- ~~5. Voluntary withdrawal,~~
- ~~6. Expulsion or~~
- ~~7. Recommendation to the provost to withhold or rescind a degree.~~

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Written decisions are generally rendered within 10 business days from the date of the hearing. In cases of code violations serious enough to warrant suspension or expulsion, the conduct officer or board chair will make a recommendation to the dean of student life. When approval of the recommended sanction is received, the conduct officer or board chair will issue the written decision. Sanctions of suspension and expulsion are noted on students' academic transcript.

When certain mitigating circumstances exist, such as an extended period of time between the incident and reenrollment, a finding of responsibility may result in no sanctions required.

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

1. Restitution, Alcohol or other drug programming, evaluation, and or testing
2. Confiscation, Written assignments
3. Restricted access to university facilities and grounds, Participation in a specific activity or project,
4. Loss of privileges, Restricted access
5. Participation in a specific activity or project, Loss of privileges
6. Alcohol or other drug testing and/or evaluation and/or No contact orders
7. No contact orders, Restitution and/or
8. Confiscation,

In assigning a sanction and/or terms and conditions for inappropriate student ~~behavior-conduct~~, the ~~hearing-conduct~~ officer or board will consider:

- a) Facts of the case as presented from all relevant sources, including the accused student,
- b) Existence of any physical evidence or written or oral information provided by the accused student and/or witnesses,
- c) Type and severity of the offense,
- d) Impact on the educational community and its members,
- e) Previous incidents of ~~inappropriate behavior/prohibited conduct~~ -committed by the accused student and
- f) The ability and/or willingness of the student to accept responsibility.

10.1.7.1 Sanctions

10.1.1 Written Warning

A warning is a written notification that subsequent code violations will normally result in more severe sanctions. ~~This action results in no notation on the student's academic transcript.~~

10.1.2 Behavioral Conduct Probation

~~Behavioral-Conduct~~ probation is a written notification of a specified period of review and observation during which the student must demonstrate the ability to comply with university policies and local, state and federal laws, and any other terms or conditions that have been imposed in writing. The specific terms

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of the probation will be determined on a case-by-case basis. ~~Behavioral-Conduct~~ probation may be supervised or unsupervised. Further ~~inappropriate behavior/prohibited conduct~~ -may result in additional sanctions to be assigned, including, but not limited to, suspension or expulsion. ~~This action results in no notation on the student's academic transcript.~~

10.1.3 Supervised ~~Behavioral-Conduct~~ Probation

Supervised ~~behavioral-conduct~~ probation generally requires meetings with a member of the Division of Student Affairs at regularly established intervals to monitor progress in behavioral, academic, social, vocational and other areas of the student's life necessary to strive for overall success at NDSU. The supervisor may assign educational tasks and/or projects as deemed necessary and appropriate to assist the student in personal growth. Further prohibited conduct may result in additional sanctions to be assigned, including, but not limited to, suspension or expulsion.

10.1.4 ~~Behavioral-Conduct~~ Suspension

~~Behavioral-Conduct~~ -suspension is a written notification of the termination of status as an enrolled student or registered student organization for a specified period of time not to exceed two academic years. In cases of crimes of violence, hate crimes, and/or Title IX related violations, the dean of student life may specify a longer period of suspension.

- a) A student may not re-enroll during the period of ~~behavioral-conduct~~ suspension.
- b) A student who has been suspended must vacate residence life facilities within the time frame established in the written notice of the ~~behavioral-conduct~~ suspension.
- c) The notice of ~~behavioral-conduct~~ suspension will include the conditions for readmission that must be met prior to application for readmission. Students may obtain a reactivation of student status (after absence) form from Registration and Records, Ceres Hall, ~~also or~~ online at www.ndsu.edu/fileadmin/registrar/forms/reactivate.pdf through Bison Connection. An interview with a member of the dean of student life staff also will be required prior to acceptance of the student's application for readmission.
- d) While a student is under ~~behavioral-conduct~~ suspension from NDSU, no academic credit earned during the suspension period will be accepted for transfer from any other higher education institution at any time. The student's transcript will carry a notation "may not register for nonacademic reasons" without further explanation. If the student is subsequently readmitted, the original notation will remain on the transcript and a new notation will be added, "eligible for registration effective ..."
- e) The student's eligibility for any refund of tuition/fees will be subject to the university's normal withdrawal policy.
- f) There may be other restrictions placed on the suspended student including, but not limited to, restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities. The student also may be required to obtain prior written permission from a member of the dean of student life staff before being on any portion of the NDSU campus during the period of suspension. Approval is generally granted only to permit a student to conduct business related to the university.
~~Usually a student with restricted access to the campus will be allowed on campus to conduct business~~

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~~related to the university, but only through prior written approval by a member of the dean of student life staff.~~

g) ~~Behavioral Conduct~~ suspension is a matter of permanent record. A permanent record indicates that student ~~behavior-conduct~~ files may be retained indefinitely at the discretion of the dean of student life, but not less than seven (7) years.

h) Student organizations placed on suspension may have all rights and privileges provided by CSO revoked for the duration of their suspension. In order to regain all rights and privileges, the student organization is required to comply with and complete any and all sanctions and terms and conditions.

10.1.5 Voluntary Withdrawal

~~In rare circumstances, based on mutual agreement, the student may be allowed to withdraw on a voluntary basis. Conditions may be imposed concerning the period of time after which the student may petition for reenrollment and/or for other conditions to be met prior to application for reenrollment. A meeting will be required with a member of the dean of student life staff prior to approval of the student's petition for readmission. This action results in no notation on the student's academic transcript.~~

10.1.6 Expulsion

Expulsion is a written notification that the student is permanently ineligible to return to the university. ~~The student must leave university residences and cease all use of university owned or controlled buildings, properties and services within the time frame established in the written notice of the expulsion. Requests for readmission will not be approved.~~ The expulsion will be recorded on the student's transcript as "may not register for nonacademic reasons" and is a matter of permanent record.

The student must leave university residences and cease all use of university owned or controlled buildings, properties and services as designated in the expulsion notice. The expulsion notice will also include any other specific restrictions and a time frame during which these restrictions apply. These may include restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities.

Written requests for exceptions to restrictions may be directed to the dean of student life or designee; however, approval is generally only granted for the purpose of conducting official university business. Requests for readmission will not be approved.

10.1.7 Degree Rescission

If a person has been awarded an NDSU degree and it is subsequently discovered that the person committed a serious breach of this code while attending the university, the university may, upon separate proceedings, elect to rescind the degree. See section [9.4.19.1](#) regarding graduation holds for similar reasons.

10.27.2 Conditions Associated with Behavioral Sanctions

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10.2.1 Restitution

A student may be required to repair, pay the cost for repair or pay for cost of replacement of any university or state property damaged by the student. In each case, the goal will be to return the damaged property to its existing condition at the time of damage. The determination of the method used to calculate restitution shall be the responsibility of the hearing officer or board chair, taking into consideration the fair market value or cost to repair the damaged item(s). In the case of personal injury, the responsible party may be required to cover the cost of medical care for others harmed as a result of the student's actions.

When available and appropriate, secondary markets may be utilized. The decision maker shall consider information and/or evidence provided by both parties to achieve a fair and just result. ~~In the case of personal injury, the responsible party may be required to cover the cost of medical care for others harmed as a result of the student's actions.~~ Failure to make timely arrangements for restitution may result in the cancellation of the student's registration, prevention of the student's re-registration, or more severe sanctions including, but not limited to, behavioral conduct suspension or expulsion. When the responsible party is a student organization, additional sanctions or terms and conditions also may be assigned for failure to make timely arrangements for restitution.

10.2.2 Confiscation

In addition to items already seized as evidence, goods used or possessed in violation of university policies and/or local, state or federal laws may be confiscated and not be returned to the student. This includes ing, but not limited to, falsified information or identification, ~~may be confiscated and not be returned to the student.~~

10.2.3 Loss of Privileges

A student may be denied various privileges customarily associated with being a student at NDSU. Such privileges may include, but are not limited to, one or more of the following:

- a) Participating in or attending events sponsored by the university or by students,
- b) Holding office in any Congress of Student Organizations (CSO) recognized student organizations,
- c) Receiving or being a guests in residence life facilities,
- d) Access to parts of or all university property, including eligibility to reside in university facilities,
- e) Receiving financial aid,
- f) Being employed by the university,
- g) Representing the university,
- h) Sponsoring or hosting organization or campus_wide functions,
- i) Using IT services and
- j) Maintaining recognized status with the CSO.

10.2.4 Participation in a Specific Activity or Project

A student may be required to participate in a specific activity or project, such as public service, an alcohol and/or other drug education program, an educational class, and/or meeting with a designated university official or other assignment.

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Restricted Access

Students may have access to university facilities and grounds restricted for a specified period of time. Restricted access may include but is not limited to entry into university facilities or athletic fields, access to specific university offices, and visiting and/or living in any university housing facility. Students found in violation of restricted access directives may be issued a trespass citation by University Police and may be subject to further conduct action.

10.2.5 Alcohol or Other Drug Programming, Evaluation and /or Testing and/or Evaluation

A student may be required to participate in alcohol or other drug programming as a result of participaint in any incident involving the use or abuse of alcohol and other drugs. The university reserves the right to require alcohol/drug testing and/or evaluation as a condition of enrollment or continued enrollment when:

- a) A student's behavior-conduct endangers or may endanger the safety of themselves, others, or property or themselves while under the influence of alcohol/drugs, and/or
- b) When the A pattern of conduct has been demonstrated by a student has had three or more separate violations involving alcohol/drugs. All such testing and/or evaluation shall be at the student's expense. The student will be expected to sign appropriate releases to demonstrate to the university that the student is complying with any recommendations resulting from such testing and/or evaluation.

Written Assignments

Students may be required to complete written assignments as a means of reflecting and/or learning more about a particular topic.

10.2.6 No Contact Order

Students may be prohibited from direct or indirect physical and/or verbal contact with another individual or group. Reasonable restrictions to protect the safety and welfare of others may also be imposed. These include, but are not limited, to any and all forms of communication, access to university owned or controlled locations and specified minimum distances.

~~11. Student Rights Guaranteed in the Complaint Resolution Procedures~~

~~11.1-5.13 Burden of Proof~~

~~The burden of proof will rest upon the complainant-conduct officer. The complainant is usually a university staff member who is presenting the complaint on behalf of the university.~~

~~11.25.14 Standard of Proof~~

~~The standard of proof will be "more likely than not." A student is found to have violated this code when the student:~~

- a) ~~Admits to the violation or~~
- b) ~~The evidence~~Information available at the time of the hearing supports a finding of responsibility under

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this code. The standard of proof will be that it is “more likely than not” that the Code of Student Behavior has been violated.

11.35.5 Notice of Charges

Within a reasonable number of business days (generally 15) of receipt of the complaint, a written notice will be sent, usually via authorized university email, to the accused student to arrange a prehearing conference.

The notice of charges will include:

- a) Nature of the alleged inappropriate behavior ;
- b) Date, time and place of the alleged inappropriate behavior;
- c) Source of the complaint;
- d) Summary of the evidence to be presented;
- e) Maximum sanction applicable if found in violation of the Code of Student Behavior;
- f) Notice that a decision may be made in the student’s absence based on information available, if the student chooses not to appear at the hearing and that the failure to appear will be considered in reaching a decision whether or not the behavior code has been violated and
- g) URL directing the student to the online copy of the code or a printed copy of the code.

The Code of Student Conduct is available at www.ndsu.edu/fileadmin/studentlife/Student Code.pdf or the Student Life Office, Memorial Union 250

The student ~~and the complainant~~ must be given notice in writing of a summary of the charges and evidence to be presented in sufficient time to ensure an adequate opportunity to prepare for the hearing. The university will ~~do all it reasonably can to~~ provide the student ~~and complainant~~ oral or written notification of the hearing 48 hours at least 3 business days prior to the hearing date. Students may consent to a shorter notice period, if they so choose.

11.3.1 Verbal Notice

~~In some cases a verbal request for a pre-hearing conference may be made (followed by a written request if the student so chooses), particularly in minor cases or cases in which an expedited hearing is appropriate. Examples include, but are not limited to, the two weeks prior to any university break of more than one week or when the student has indicated a decision not to return the following semester.~~

11.45.6 Prehearing Conference

During the prehearing conference, the ~~administrative hearing~~ conduct officer will discuss the:

- a) Student’s rights and responsibilities and
- b) Nature of the complaint and how the Code of Student ~~Behavior~~ Conduct may have been violated.

~~The student has a right to make a written and/or oral statement describing the event(s) that led to the charges.~~

The student may ~~also~~ request to proceed with an immediate hearing, except in cases which may result in suspension or expulsion with the administrative hearing officer. The ~~administrative hearing~~ conduct officer

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may refuse to hear the case and refer it to another ~~administrative hearing~~conduct officer or ~~complaint resolution~~conduct board.

11.55.7 Administrative Hearing Options and Complaint Resolution Board

The Code of Student ~~Behavior-Conduct~~ complaint-resolutions ~~procedures at NDSU include:~~process is facilitated through an administrative hearing or a conduct board hearing.

- a) ~~An administrative hearing officer designated by the dean of student life or~~
- b) ~~A complaint resolution board.~~

Insert text from current section 12 as part of new section 5.7

Insert current section 11.11 as part of new section 5.7

Insert current sections 13.1, 13.2 and 12.5 as new section 5.8 Administrative Hearings

11.65.12 Conflicts of Interest

Any ~~administrative hearing~~conduct officer or board member who has a conflicting interest in the particular case may not ~~sit in judgment during that proceeding~~participate. Each party has the right to challenge the appointment of an ~~administrative hearing-conduct~~ officer or board member. Challenges must be submitted in writing to the dean of student life or designee at least two business days prior to the hearing. If an accused student or a ~~complainant-conduct officer~~ fails to raise a perceived conflict by objecting to that person two business days in advance, any objection is deemed to be waived. An individual may not be disqualified solely on the basis of his or her position in the university community.

11.7 Witnesses and Evidence

~~The accused student and the complainant shall be given reasonable opportunity to present their cases, including presentation of other evidence beyond written and verbal testimony by themselves and their witnesses. Witnesses will remain only for the duration of their own testimonies.~~

~~All testimony and other evidence upon which the decision will be based must be introduced into evidence at the hearing. Determination as to whether the accused student is or is not responsible for the alleged code violations will be based on the information provided prior to or during the hearing. Hearing officials have the discretion to verify accuracy of information and are required to notify the accused prior to issuing a decision if discrepancies are noted. Evidence acquired in violation of university rules concerning investigation of student behavior shall not be admissible (see Section 9). Formal rules of evidence shall not be applicable. Deviations from prescribed procedures shall not invalidate a decision or proceeding unless significant prejudice to a student or the university may result.~~

~~If both parties agree, the hearing may be limited to a consideration of written statements. If the accused student is going before a complaint resolution board, the written statements must be presented to the chair of the complaint resolution board two business days prior to the hearing for distribution to the board members. For administrative hearings, the written statements may be provided ahead of time or at the hearing.~~

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11.8 Hearsay Evidence

~~Hearsay evidence is permitted and will be given any consideration deemed appropriate by individual decision makers. Hearsay evidence is a term applied to testimony given by a witness who speaks about information received from others, rather than information directly given by that witness. The value of such evidence rests with the discretion of hearing officials and their individual judgment of the witnesses' credibility.~~

11.9 General Character Witnesses

~~Character witnesses are not permitted to appear before the hearing officer/board, but the accused student may submit up to three written documents to the hearing officer/chair of the board two business days prior to the hearing. Each statement must be dated and signed, with the name of the individual signing printed below to ensure legibility. If the accused student is found responsible for violating this code, the hearing officer/chair of the board may consider these statements during sanctioning.~~

11.10 Questioning Witnesses

~~The student and the complainant have the right to address questions through the hearing officer/board to other witnesses at the hearing. If both parties agree, however, the hearing may be limited to a consideration of written statements. A witness may testify in the absence of the accused student with prior approval of the administrative hearing officer or the complaint resolution board chair.~~

~~An absolute right of cross examination is not granted under this code. All questions will be addressed to the administrative hearing officer or complaint resolution board chair. The administrative hearing officer or complaint resolution board chair will then rephrase relevant and reasonable questions, if necessary, and will retain the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude to respond fully to questions.~~

5.16 Witnesses/Witness Statements

The accused student and the conduct officer will be given reasonable opportunity to present witnesses and/or witness statements and will be allowed to address questions to any witnesses participating in the hearing. An absolute right of cross examination is not granted under this code. In the case of a board hearing, all questions will be addressed through the chair, who will determine if the questions are relevant and reasonable, and if necessary, will exclude questions that are redundant or irrelevant in determining responsibility. Witnesses will be given reasonable latitude to respond fully to questions and will only remain for the duration of their own testimonies. All written statements that are to be considered are to be provided at least two business days prior to the hearing. Written statements must also be signed and dated, with the name of the witness printed below to ensure legibility or sent electronically directly by the witness. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

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Character witnesses are not permitted. If the accused student is found responsible for violating this code, character statements may be considered during sanctioning. The accused student may submit up to three letters to the conduct officer/chair of the board, at least two business days prior to the hearing. Each letter must be dated and signed, with the name of the individual signing printed below to ensure legibility or sent electronically from the author of the written statement.

5.17 Evidence

The accused student and the conduct officer will be given reasonable opportunity to present any written or oral information that is relevant in determining responsibility. All pertinent information that is to be considered is to be provided at least two business days prior to the hearing. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

Because the hearing is an educational process, formal rules of evidence do not apply. For this reason, hearsay evidence is permitted. It refers to testimony given by a witness who speaks about information received from others, rather than information given directly by that witness. The value of such evidence rests with the discretion of each conduct officer/board member.

11.11 Hearing Adviser

The student and ~~complainant~~ conduct officer each have the right to have a person present who may act in an advisory capacity. ~~This person~~ The role of the hearing advisor shall be to advise his/her own party, not to participate in the hearing. ~~is not an advocate for the accused and cannot address the Code of Student Behavior complaint resolution board, the hearing officer or ask questions of witnesses.~~ Hearing advisors who do not who do not respect this provision may be cautioned by the conduct officer/chair of the board and if they persist, may be asked to leave.

11.12 Attorneys

If the student chooses to have an attorney present as his or her hearing ~~adviser~~advisor, ~~the~~ NDSU may request general counsel ~~may~~ be present ~~to observe the proceedings as well.~~ ~~The complainant, if not a university staff member, also may choose to have an attorney present during his/her presentation.~~ The role of ~~the an~~ attorneys shall ~~not~~ be to advise his/her own client, not to participate in the hearing. ~~other than to advise their own clients.~~ Attorneys who do not respect this provision may be cautioned by the hearing conduct officer/chair of the board and if they persist, may be asked to leave.

11.135.18 Self Incrimination

Accused students and witnesses shall not be compelled to incriminate themselves by being obligated to testify that they engaged in ~~behavior~~ conduct constituting a violation of this code and/or local, state or federal law.

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11.145.19 Closed Hearings

All hearings are ~~normally generally open only~~closed except to those persons who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the charged student and the dean of student life or designee. ~~Witness(es) will remain only for the duration of his/her (their) own testimony.~~ The dean of student life or designee may permit a limited number of NDSU personnel to be present as observers for the purpose of training. Other exceptions may also be made as deemed necessary by the dean of student life or designee.

11.155.20 Appeals

Students sanctioned for violations of any part of this Code of Student ~~Behavior~~ Conduct or ~~related relevant~~ university policies may appeal. Students are limited to one appeal and that decision is final (see Part VIII Section 16).

12. Hearings

Cases are normally heard through administrative hearings. In certain situations, a student may request a ~~complaint conduct~~ resolution board hearing (see Section ~~14, Complaint Resolution Board Jurisdiction~~). The university also reserves the right to submit the case to a ~~complaint conduct~~ resolution board either initially or at any point in an administrative hearing if:

- a) It becomes apparent the case may warrant suspension or expulsion or
- b) The ~~hearing conduct~~ officer is unable to hear the case due to a conflict of interest or any other reason.

University administrators who have direct responsibility for ~~Greek life and~~ student organizations will process ~~judicial conduct~~ cases related to fraternities, sororities and student organizations. Individual organizational boards will address only violations of those organizational standards, not violations of this code.

The student's rights remain the same ~~whether or not the student receives an administrative hearing or a complaint resolution board~~ regardless of the type of hearing.

12.1 Evidence

~~Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all pertinent information to be presented for consideration during the hearing (see section 11.7 Witnesses and Evidence).~~

12.2 Written Documents and Other Items

~~Parties planning to bring items to a hearing must generally provide copies of those items to the hearing officer or board chair 2 business days prior to the hearing to allow for a review of the items and development of any pertinent questions. The hearing officer or board chair may permit deviations to this time restriction as long as all parties have sufficient time to prepare for the hearing. Either party or their witnesses will be permitted to elaborate on written documents previously submitted.~~

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~~12.3 Standard of Proof~~

In reaching a decision, only information produced at the hearing will be considered and evaluated using the “more likely than not” standard of proof.

12.4 Recommendation and Approval of Sanctions

In cases of code violations serious enough to warrant suspension or expulsion, the hearing officer or board chair will make a recommendation to the vice president of student affairs. When approval of the recommended sanction is received, the hearing officer or board chair will issue the written decision.

~~12.5 Decisions~~

~~The hearing officer of the administrative hearing will provide written notice of the findings to the student stating whether or not the Code of Student Conduct was violated. The written notice will include sanctions and terms and conditions for continued enrollment or re-enrollment, if any, issued by the hearing officer of the administrative hearing. The notice will generally be sent within 10 business days following the hearing. The dean of student life may grant time extensions, if necessary.~~

~~Written decisions are generally rendered within 10 business days from the date of the hearing.~~

~~13. Administrative Hearings~~

~~(In addition to the information provided in Section 12, the following statements specifically apply to administrative hearings.) An administrative hearing can result in a more timely resolution of the conflict and the involvement of fewer individuals.~~

~~13.15.8 . Administrative Hearings~~

~~An administrative hearing involves the accused student, hearing-conduct officer and any other individuals necessary to determine whether or not there has been a violation of university policies. The administrative hearing-conduct officer is the NDSU representative assigned to process an alleged violation of university policies. At this hearing, the student has a right to make a written and/or oral statement describing the event(s) that led to the charges. An administrative hearing can result in a more timely resolution of the conflict and the involvement of fewer individuals.~~

~~13.2~~ Sanctions imposed following an administrative hearing may not include suspension or expulsion unless the student receives prior written notice that the case was serious enough to warrant suspension or expulsion, and the student voluntarily waived the right to a hearing by a complaint-conduct resolution board.

Insert current section 12.5 as amended to become part of 5.8 Administrative Hearings.

~~14. Complaint Resolution Board Hearings~~

~~(In addition to information provided in Section 12, the following statements specifically apply to board hearings.)~~

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5.9 Conduct Board Hearing

14.1 Jurisdiction

A student shall be granted a hearing before a ~~complaint-conduct resolution~~ board to determine whether or not a specific behavior has violated the Code of Student ~~Behavior-Conduct~~ or related policies identified in the code, ~~if the~~ under the following circumstances:

- a) ~~Sanction-When a sanction~~ normally administered for such ~~behavior-conduct~~ might include suspension or expulsion from NDSU, ~~or~~
- b) ~~Student's-When a student's~~ prior ~~behavior-conduct~~ record, plus a finding of responsibility for the current alleged violation, might result in a recommendation for suspension or expulsion from NDSU; ~~or-~~
- c) When a conduct officer refers a case to a conduct board due to a possible perception of bias or for any other reason.

14.2 Pool Composition and Board Selection

The pool of potential members of a ~~complaint-conduct resolution~~ board may include ~~students, faculty and staff~~ trained representatives from the student body, academic affairs and student affairs. The dean of student life or designee may draw upon this pool to constitute a board of at least three members.

~~The dean of student life may draw from the hearing pool to make substitutions as needed to avoid the delay of a hearing.~~

14.3 Board Chair

The dean of student life or designee will appoint a ~~complaint-resolution~~conduct board chair. The chair's role is to ~~conduct-facilitate~~ the hearing in an orderly fashion, determine whether evidence presented or questions asked are relevant to the proceeding, and assign appropriate sanctions if the accused student is found responsible for violating the code. Normally the chair does not ask questions during the hearing; however, if the chair believes that questions have not been asked that would help the board determine whether the accused student is responsible for violating the code, the chair may ask those questions.

14.4 Recording of Proceedings

All hearings of a ~~complaint-resolution~~conduct board will be recorded up to the point of the board's deliberations ~~necessary to render a decision~~, and will be retained as part of the student's file. In some situations, the chair of the board may recommend to the dean of student life that a video recording may be more appropriate than an audio recording. Notice will be provided to the student no less than ~~48 hours~~ 2 business days before the hearing. Access to the recording will be made available for the purpose of preparing an appeal. Requests for access should be directed to the Dean of Student Life Office.

14.5 Board Decisions

The board will determine, by a majority vote, whether or not the student violated one or more sections of this code. Following a finding of responsibility, the chair of the ~~complaint-resolution~~conduct board may choose to meet with the student to request additional information so that an appropriate sanction can be

Faculty Senate Minutes

determined. The chair of the board will take into consideration any prior code violations when determining or recommending an appropriate sanction.

~~15. Complaint Resolution~~VI. Conduct Board Procedures

~~15.1-6.1~~ Introduction

With all parties present, the chair will call the meeting to order and will introduce members of the ~~complaint resolution~~conduct board and their function within the university. ~~(The chair also will ask all other parties participating in the hearing to introduce themselves and identify their role in the proceedings.)~~

~~15.2-~~The chair will describe the general outline of the hearing to the board and 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 students willfully provide false information, they will be in violation of NDSU's Code of Student ~~Behavior~~Conduct. As a result, they also may be subject to additional disciplinary action. Dishonest behavior by any faculty or staff members will be reported to supervisors for any necessary disciplinary action.

~~15.3-~~The chair will dismiss witnesses until they are called to speak before the board.

~~15.4-6.2~~ Complaint Presentation and Response

The chair will introduce the ~~complainant~~conduct officer who will present the case on behalf of the university, making additional comments necessary to ensure the complaint has been presented accurately and clearly. The ~~complainant~~conduct officer is an NDSU representative appointed by the dean of student life ~~or designee~~.

~~15.5-~~The chair will introduce the accused student who will be permitted to respond to the charges and present information to the board that is relevant in determining whether the student violated one or more sections of the code.

~~15.6-~~At the chair's discretion, questions may be placed directly between parties. Permission to address parties directly may be withdrawn by the chair at any time.

~~15.7-6.3~~ Presentation of Witnesses

The ~~complainant~~conduct officer will be allowed to present witnesses who may be asked questions by the ~~complainant~~conduct officer, accused student, members of the board and dean of student life ~~or designee~~. Questions may be directed to the chair who will determine relevancy to the proceeding, request clarification if necessary, ask if the respondent understands the question and request a response.

~~15.8-~~The accused student will be allowed to present witnesses who may be asked questions by the accused student, ~~complainant~~conduct officer, members of the board and dean of student life ~~or designee~~. Questions

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may be directed to the chair who will determine relevancy to the proceeding, request clarification if necessary, ask if the respondent understands the question and request a response.

15.96.4 Final Questions

The complainant-conduct officer and accused student will be permitted to ask questions of each other.

~~15.10~~ Questions will be permitted by board members and dean of student life or designee, who may question either party.

~~15.11~~ At the discretion of the board chair, the complainant-conduct officer and accused student may be permitted to ask additional questions of each other.

15.126.5 Closing Statements

Both parties will have an opportunity for closing statements. The complainant-conduct officer will present first, followed by the accused student.

15.136.6 Deliberation and Decision

All parties will be dismissed for deliberations by the board. Only board members and the chair may ~~be present during~~ participate in the deliberation and recording will stop at this point. The board chair may request a brief consultation with the dean of student life or designee for interpretation or clarification of the code.

~~15.14 A complaint resolution~~ The conduct board may suggest one or more sanctions and related terms and conditions from those listed in the code. Suggested sanctions are not binding upon the chair of the ~~complaint resolution~~ conduct board who issues the final decision for the board and selects appropriate sanctions.

~~15.15~~ If the chair believes that suspension or expulsion is warranted, the chair will make this recommendation to the ~~vice president of student affairs~~ dean of student life. When ~~approval of the~~ recommendation has been approved by the dean of student life, is received it will be returned to the chair with the dean of student life's endorsement, and the board chair will issue the written decision ~~as outlined in section 14.5~~.

~~15.16~~ The chair of the ~~complaint resolution~~ conduct board will ~~send~~ provide written notice of the board's findings to the student stating whether or not the Code of Student ~~Behavior~~ Conduct was violated. The written notice will include sanctions and terms and conditions for continued enrollment or re-enrollment, if ~~necessary~~ any, issued by the chair of a ~~complaint resolution~~ conduct board. The notice will generally be sent within 10 business days following the hearing. The dean of student life may grant time extensions if necessary.

Insert VII. Sanctions and Conditions as amended from current sections 10 through 10.2.6

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~~16-VIII.~~ Appeal Procedures

Students sanctioned for violations of this code may make one appeal. Cases resulting in suspension or expulsion are appealed to the vice president for Student Affairs. of NDSU. All other appeals are addressed to the dean of student life, or an administrator of residence life, depending upon who served as the complainant conduct officer.

~~16.1-8.1~~ Deadline for Appeals

The student must make an appeal of any decision in writing within five business days following the date the sanction notice is sent to the student via the NDSU email account. When necessary to utilize U.S. mail, students will be afforded 10 business days from the date of letter to submit an appeal. If hand-delivered, a notation of that date will be made in the student's behavioral conduct file. In extraordinary circumstances, the dean of student life may grant time extensions. The university reserves the right, however, to reduce the time allowed for a student appeal in cases which-that may have the potential to result in harm to persons and/or property. The reduced time for appeal will be specified in the decision letter of disciplinary sanction along with the rationale for allowing reduced time for an appeal. An appeal shall be written by the student and shall contain the student's name, date of the decision or action, and reason(s) for the appeal.

~~16.2-8.2~~ Appeal ~~letters~~ Letters

Appeals must be submitted to the person appeal officer specified in the decision letter and must specify in detail one or more of the following bases of appeal:

- a) The severity of the sanction was not consistent with the severity of the offense,
- b) The decision for nonaction/action/sanction was made in an arbitrary or capricious manner,
- c) The finding of the code having been violated was not substantiated by the evidence and/or
- d) The student's rights were violated. Those rights ~~(specify those rights~~ believed to have been violated)~~-must be specified.~~

~~16.3-8.3~~ Emergency Provisions

Normally a properly filed notice of appeal suspends the imposition of sanctions until the appeal is decided; however, some emergency provisions may be sustained throughout the appeal to protect persons and/or property. Such provisions will be explained in the original letter to the student outlining the decision, along with the rationale for maintaining those emergency provisions throughout the appeal.

~~16.4-8.4~~ Appeal Advisory Board

The ~~president and the dean of student life~~ appeal officer reserves the right to appoint an appeal advisory board to review appeals. In such instances, the appointed advisory board will make a recommendation that the ~~president and dean of student life~~ appeal officer may accept or reject. The decision of the administrator will generally be issued within 10 business days of receiving the recommendation from the advisory board and that decision will be final.

~~16.5-8.5~~ Review

The appeals person/~~body~~ advisory board will review the written letter of appeal from the student and materials from the original hearing. In reviewing the appropriateness of sanctions, the student's entire

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conduct file may be considered. After reviewing these materials, the appeals person/~~body~~-advisory board may decide to do one of the following:

- a) Issue a decision based solely on the written materials,
- b) Issue a decision based on a review of written materials and discussion with the involved principals,
- c) Recall one or more witnesses,
- d) Return the case to the body conducting the original hearing for presentation of new evidence and reconsideration of the decision and/or sanctions.

16.6-8.6 Decision/Sanction

When the accused student makes the appeal, the appeals person/~~body~~-advisory board may uphold or lessen the original decision/sanction, but not increase the sanctions/actions imposed by other persons or ~~bodies~~advisory boards. The decision on the appeal will generally be made within 10 business days of receipt of the appeal, but may take longer during university recesses or in the event of complex cases, or when an advisory board has been appointed to make an appeal recommendation.

16.78.7-Appeals by Accuser

An appeals by the accuser may only be allowed when it is alleged that the accuser was the subject of a ~~crime of violence~~Title IX violation, including forcible and non-forcible sexual assaults, as defined in this code. In some cases, an accuser's appeal could result in a different decision and/ or stronger sanctions than originally imposed.

16.8-8.8 Rehearings

Rehearings will only be granted if there is substantial:

- a) Evidence to determine that the student was not afforded appropriate due process or
- b) New evidence that has been discovered about the alleged violation that was not available at the time of the earlier hearing.

IX. Special Circumstances and Conditions

17. Behavior ConflictX. Conduct Records

10.1 All ~~behavior conflict~~conduct records are confidential and may not be disclosed in whole or in part except as provided under law, including but not limited to, the Family Education Rights and Privacy Act (FERPA), the USA Patriot Act and lawful court orders.

The ~~disciplinary-conduct~~ record shall be separate from the student's academic record, but shall be considered a part of the student's educational record. All ~~disciplinary-conduct~~ records shall be retained in the Dean of Student Life Office or other offices as authorized by the dean.

As provided under FERPA, information concerning code violations for alcohol and/or drugs may be shared with parents in accordance with the Parental Notification Policy. In addition, code violations may also be shared with some academic departments upon request and as necessary to fulfill their professional

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obligations. A memorandum of understanding exists that provides for full exchange of information concerning code violations by student athletes with the pertinent coaches and the athletic director.

Suspension and expulsion are the only completed ~~behavior-conduct~~ actions reflected on the official academic transcript of the student (see section ~~10.1.4 & 10.1.67.1~~). At the direction of the dean of student life, the registrar shall place on the student's permanent academic record the words "may not register for nonacademic reasons." When the student is determined eligible to return to NDSU following a suspension, the original transcript notation will remain and a new transcript notation will be added: "eligible for registration effective ..."

~~17.110.2 Behavior Conflict Records~~ Retention and Destruction

~~17.1.1 Sanctions Less than Suspension or Expulsion~~

In cases in which students are found in violation and receive a sanction less than Suspension or Expulsion, with or without additional terms and conditions, all records related to that students' cumulative ~~behavioral conduct~~ history will be retained for seven years from the date of the student's last ~~behavioral incident~~ ~~conduct violation~~. Student ~~disciplinary-conduct~~ records may be retained indefinitely at the discretion of the dean of student life.

~~17.1.2 Suspension or Expulsion~~

In cases in which students are found in violation and receive a sanction of suspension or expulsion, ~~disciplinary-conduct~~ records will be retained on a permanent basis.

~~17.1.3 Student Organization Records~~

Records of ~~behavioral-conflicts~~ ~~conduct violations~~ involving student organizations will be retained for seven years following the date of the incident. Student organization ~~disciplinary-conduct~~ records may be retained indefinitely at the discretion of the dean of student life.

FINAL NOTE Occasionally there are changes of staff titles mentioned in this document. The vice president for student affairs may make editorial changes relating to this document as long as the substance of the document is not affected.

Dean L. Bresciani, President

effective date

History:

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

April 14, 2014

Attachment 6

Faculty Senate Meeting Dates 2014-2015

Regular meetings of the Senate shall be held at 3:30 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or state holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Faculty Senate Executive Committee Meetings <i>Mondays, 3:30 p.m.</i>	Faculty Senate Meetings <i>Mondays, 3:30 p.m.</i>
August 25, 2014	September 8, 2014
September 29, 2014	October 13, 2014
October 27, 2014	November 10, 2014
November 24, 2014	December 8, 2014
January 12, 2015	January 26, 2015
February 2, 2015	February 9, 2015
February 23, 2015	March 9, 2015
March 30, 2015	April 13, 2015
April 27, 2015	May 11, 2015

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NDSU NORTH DAKOTA
STATE UNIVERSITY

Bylaws

Article I: Faculty Senate Membership

Section 1.

Each representation unit shall have one elected senator for every fifteen eligible faculty (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the Fargo Campus as of October 1 of each year. Faculty members in the Agriculture Experimental Station and the NDSU Extension Service shall be counted in and vote with their assigned representation unit.

Section 2.

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

Section 3.

The following are considered representation units for the purposes of determining Faculty Senate seats:

- a. College of Agriculture, Food Systems, and Natural Resources
- b. College of Arts, Humanities, and Social Sciences
- c. College of Business
- d. College of Engineering
- e. College of Human Development and Education
- f. College of Pharmacy, Nursing, and Allied Sciences
- g. College of Science and Mathematics

Section 4.

The Faculty Senate President with the assistance of the Secretary of the Senate will stagger Senate terms so that approximately 1/3 of the senators from each representation unit are elected each year. Each unit shall hold a meeting to elect the necessary senators by April 15 of each year.

Section 5.

Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected senator shall be three years. Senators cannot be reelected for consecutive terms.

Section 6.

If a senator must vacate her or his seat, the vacancy shall be filled by a special election within the unit from which she or he was elected. The term of a member under these circumstances shall

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commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

Section 7.

A senator may be removed from office by way of a two-thirds majority vote at a regular Faculty Senate meeting, followed by a 2/3 majority vote at the next meeting. . This action may never be part of a consent agenda.

Section 8.

All senators are expected to:

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

Article II: Organization and Faculty Senate Operation

Section 1.

Administrative officers of the Faculty Senate consist of the President and the President-Elect.

Section 2.

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

Section 3.

At the end of the term, the President-Elect will succeed the President for a one-year term of office.

Section 4.

During their respective terms the President-Elect and the President will not represent her or his representation unit.

Section 5.

Removal of the President or President-Elect requires a 2/3 vote at a regular Senate meeting, followed by a 2/3 vote at a special meeting of the Senate not more than 2 weeks after the first

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meeting. In the event that the President is removed, the President-Elect will assume the role of President and will continue as President until the President-Elect's original term is concluded. In the event that the President-Elect is removed, the Senate will vote to replace the President-Elect at the next regular meeting of the Senate. These actions may never be part of a consent agenda. The removed officer shall not complete her or his term as a Senator.

Section 6.

Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Faculty Senate in consultation with the Senate Executive Committee.
3. Serve on the Senate Coordinating Council.
4. Chair the Senate Executive Committee.
5. Introduce the President at the State of the University Address.
6. Appoint committee members, as outlined in Articles IV and V.
7. Coordinate the dissemination of information relating to Senate activities.
8. Represent the Faculty Senate on administrative councils.
9. Provide the Secretary of the Senate and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Submit policies or actions approved by the Faculty Senate to the University President for consideration.
11. Moderate the official faculty listserv.

Section 7.

Duties of the President-Elect shall include the following:

1. Assist the President in executing the duties of the office.
2. Serve as President during any absence by the President.
3. Serve on the Senate Executive Committee.
4. Serve on the Coordinating Council.
5. Represent the Faculty Senate to the Staff Senate and the Student Government.

Section 8.

The University Registrar shall be the Secretary of the Senate; the Secretary of the Senate is not a voting member of the Senate. The duties of the Secretary shall include:

1. Acquire the agenda and related attachments, if any, from the President, then prepare and disseminate the agenda in accordance with Section 13.
2. Maintain a current roster of senators and record attendance to confirm a quorum.
3. Collect and read the member substitution authorizations at the meeting.
4. Record, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.

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8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.
10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.

Section 9.

Regular meetings of the Senate shall be held at 3:30 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or state holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 10.

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

Section 11.

Meetings of the Faculty Senate shall be open to the public. At each Senate meeting the President of the University, the Provost, the Student Body President, and the Staff Senate President will be invited to make announcements. The Faculty Senate President may allow other non-senators to speak and/or provide reports. However, only senators may make motions and only senators may vote on motions before the Senate.

Section 12.

Faculty Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Faculty Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

Section 13.

The primary business of the Faculty Senate is to review, propose, and approve of policy with respect to the following matters:

- a. Academic freedom, including rights and responsibilities.
- b. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
- c. Research and scholarship.
- d. Admissions standards and prerequisites.
- e. Requirements for regular certificates and degrees.
- f. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.
- g. Teaching quality.
- h. Professional standards and criteria for positions accorded academic rank.
- i. Policies and procedures for promotion, tenure, and evaluation.
- j. And other academic matters.

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

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

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

1. Approval of the minutes of the previous meeting.
2. Announcements.
3. Consent agenda.
4. Planning and prioritizing Faculty Senate action for the year.
5. Adjournment.

The President, in consultation with the Executive Committee, may add an urgent piece of new or committee business to this meeting if the timing is critical.

Section 14.

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

Section 15.

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

Article III: Senate Committees

Section 1.

Duties of standing committees include:

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

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Section 2.

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

Section 3.

Committees shall determine their own procedural rules. However, no committee shall conduct business without a majority of members present. Each committee will keep such records as necessary to conduct business. In addition, every Faculty Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress (5 minutes) at the May meeting of the Faculty Senate or, at the President of the Faculty Senate's request, submit a written report at the end of the academic year.

Section 4.

Individual representation units will determine their own methods for selecting members of standing committees consistent with Articles IV and V. Such membership shall be presented to the Faculty Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last senate meeting of spring semester, unless otherwise specified.

Section 5.

After the Faculty Senate has approved membership in the Standing Committees, each committee will meet and elect a chair, who will communicate all committee business to the Senate.

Section 6.

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

Section 7.

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

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a representative of the Dean of Graduate and Interdisciplinary Studies, and two students.
2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.

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3. Committee responsibilities include:
 - a. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
 - b. Recommending policies for the evaluation of transfer credit
 - c. Recommending policies for graduation
 - d. Recommending candidates for graduation
 - e. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 2. Academic Integrity

1. Membership shall consist of one tenured faculty member with the rank of professor from each representation unit. If a full professor is not available, an associate professor may be appointed.
2. Committee responsibilities include:
 - a. Providing investigative assistance on cases involving academic misconduct as described in Policy 326.
 - b. Selecting panels of three persons competent to investigate allegations; such panels may include members from outside the University.
 - c. Reviewing and recommending policies on academic integrity.

Section 3. Budget

1. Voting members shall consist of one faculty from each representation unit, and a representative of the Dean of Graduate and Interdisciplinary Studies.
2. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance (or designee).
3. Committee responsibilities include:
 - a. Becoming familiar with the university budget process.
 - b. Developing a set of guiding principles which align with strategic priorities, with the intent of informing university budget decisions from a faculty perspective.
 - c. Soliciting input regarding the budget process from a wide range of faculty and on an ongoing basis.
 - d. Serve as a resource for the Provost in budget matters.
 - e. Acting as a conduit of information between faculty and administration for budget discussions and decisions.

Section 4. Conflict of Interest Advisory

1. Committee membership shall consist of five tenured faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President.
2. No two committee members may have primary appointments in the same representation unit.
3. Committee responsibilities include:
 - a. Serving as an advisory body to the administration on the issue of Conflict of Interest.
 - b. Initiating and reviewing policies concerning Conflict of Interest and making recommendations regarding such policy at the Faculty Senate.
 - c. Hearing and ruling on appeals of decisions in conflict of interest cases.

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- d. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 151.1.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement, first considering those who have previously served on the committee.

Section 5. Council of College Faculties

1. Membership shall consist of three faculty members elected to staggered three-year terms.
2. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Council of College Faculties.
3. Responsibilities and procedures of the Council of College Faculties are determined by the Constitution and Bylaws of the Council.

Section 6. Equity and Diversity

1. Voting membership shall consist of five faculty members and a faculty representative from the Commission on the Status of Women Faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President. The Executive Committee shall strive for representation from diverse groups.
2. Non-voting membership shall consist of a representative from the office of the Vice President for Equity, Diversity, and Global Outreach.
3. Committee responsibilities include:
 - a. Reviewing, revising and proposing policies to ensure that rights and considerations of diverse groups or faculty are included in NDSU policy, practices, and procedures.
 - b. In particular, the committee will explore and identify ways that NDSU can be more inclusive for diverse faculty including women, people of color, and sexual minorities (e.g., lesbian, gay, bisexual, or transgendered).

Section 7. Executive Committee of the Faculty Senate

1. Voting membership shall consist of one senator from each representation unit, the President, the immediate Past President, and the President-Elect. In the event the immediate Past President is unable or unwilling to serve, the President will appoint another past President as a replacement for the immediate Past President on the committee. The term of office shall be for one year following the regular May meeting.
2. Non-voting membership shall consist of the Dean of Graduate and Interdisciplinary Studies, the Provost (or designee), a faculty representative from the Commission on the Status of Women Faculty, the Faculty Senate Secretary, and the parliamentarian. The term of office of all members of Executive Committee shall be for one year following the regular May meeting.
3. During the first week of the fall semester, the Executive Committee shall meet and organize for the academic year.
4. Committee responsibilities are the following:
 - a. Delegating tasks to Faculty Senate committees.
 - b. Reviewing the progress of Faculty Senate committees.
 - c. Setting the agenda for upcoming Faculty Senate meetings.

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- d. Interpreting, when necessary, provisions of the Faculty Senate Constitution and Bylaws.

Section 8. Faculty Affairs

1. Membership shall consist of one faculty member from each representation unit, a non-voting faculty representative from the Commission on the Status of Women Faculty, and a non-voting representative of the Dean of Graduate and Interdisciplinary Studies.
2. Committee responsibilities include:
 - a. Reviewing policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching and service.
 - b. Reviewing and recommending revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.

Section 9. Faculty Rights

1. Membership, responsibilities, and procedures are determined by directives of the North Dakota State Board of Higher Education.
2. Membership consists of five members, from different representation units, elected for five-year terms by the faculty. Membership is restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
3. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Standing Committee on Faculty Rights. Committee members' terms will begin and end on August 15.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case, preferably a faculty member who has the remainder of the term after considering those who have previously served on the committee. Broad representation, while a worthwhile goal, is not always achievable. However, the replacement member should be from a different representation unit than the other four members if reasonably possible.
5. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.

Section 10. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.
2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, and the Provost (or designee).
3. Committee responsibilities include:
 - a. Ensuring that existing courses and experiences meet general education requirements.
 - b. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.

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- c. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.
- d. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.
- e. Providing periodic assessment of students' attainment of intended student outcomes in general education.
- f. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.
- g. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 11. Grade Appeals Board

The purpose of this Board is to provide an avenue for students to challenge any grade they believe to have been unfairly assigned. Membership shall consist of one faculty member and one alternate from each representation unit, the Associate Vice-President of Academic Affairs, a representative of the Dean of Graduate and Interdisciplinary Studies, three students and three student alternates selected by the Student Government. The Associate Vice-President of Academic Affairs will serve as Board Chair, and Policy 337 governs process.

1. Faculty shall be elected for three-year terms by their representation unit.
2. Students should be full-time students with a minimum 2.00 cumulative grade point average and junior standing.
3. Committee responsibilities include:
 - a. Hearing charges of inequitable or prejudiced academic evaluations and to provide redress for improper evaluation.
 - b. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 337.

Section 12. Program Review

1. Membership shall consist of one tenured faculty member from each representation unit, the immediate past president of the Faculty Senate, the Dean of the College of Graduate and Interdisciplinary Studies, the Provost (or designee), and two students selected by the Student Government. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
2. Committee responsibilities include:
 - a. Developing criteria and procedures for review of academic programs.
 - b. Performing a continuing review of graduate and undergraduate academic programs with regard to such factors as mission, need, quality, cost, and contribution to other programs.
 - c. Addressing concerns and making recommendation to the Faculty Senate regarding duplication of programs and courses.
 - d. Recommending policies for University support to individual programs.
 - e. Coordinating the time of and use of external program reviews by accrediting agencies and/or other expert evaluators in its review of specific academic programs.

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Section 13. Research & Consulting

1. Voting membership shall consist of one faculty member from each representation unit and a representative of the Dean of Graduate and Interdisciplinary Studies.
2. Non-voting membership consists of a representative of the Vice President for Research, Creative Activities, and Technology Transfer.
3. Committee responsibilities include:
 - a. Initiating and reviewing policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.
 - b. Reviewing research development programs and providing technical and funding reviews for faculty proposals submitted to the development programs.

Section 14. Technology and Instructional Services Committee

1. Voting membership shall include one faculty member from each of the representation units and a representative of the Dean of Graduate and Interdisciplinary Studies.
2. Non-voting membership shall include one representative from Information Technology Services (ITS).
3. Committee responsibilities shall include:
 - a. an annual review of ITS support services to the NDSU teaching and research communities.
 - b. making recommendations for Faculty Senate approval of any changes proposed by ITS regarding policy, implementation procedures, or classroom and instructional technologies.
 - c. formulating recommendations regarding needs of the faculty that are unmet by ITS.
 - d. serving as the liaison between the Faculty Senate and ITS administration.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership shall consist of two representatives each from the Faculty, Student, and Staff Senates, the Faculty Senate President, the Staff Senate President, and the Student Body President.
2. Non-voting membership shall consist of the Provost (or designee), the Vice President for Student Affairs (or designee), the Vice President for Finance and Administration (or designee), and representatives of one of these Vice President's offices, one of whom will facilitate meetings and one of whom will maintain records. The Vice President's offices will rotate responsibility for calling meetings and maintaining records every three to five years. The coordinating council may decide to invite policy initiators to the meetings as nonvoting members to explain policy changes.
3. Committee responsibilities include:
 - a. Reviewing policy to determine first whether it is ready to bring to any of the Senates or whether it should be returned to the policy makers for clarification and revision.

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- b. Coordinating the distribution of policies to the appropriate senate body consistent with the Faculty Senate, Staff Senate, and Student Government Constitutions.
- c. Sending policies that have been voted on to appropriate channels at NDSU for final approval.
- d. Serving in a liaison capacity regarding the Faculty Senate, administration, Staff Senate, and Student Government.

Section 2. Campus Space & Facilities

1. Voting members shall consist of one faculty member from each representation unit, three staff members appointed by the Staff Senate, three student members (graduate, undergraduate, and on-campus) appointed by the Student Government, a representative of the College of Graduate and Interdisciplinary Studies, the Provost (or designee), the Registrar, and the Vice President for Finance and Administration (or designee).
2. Non-voting members shall consist of the Director of Facilities Management, the Chair of the Department of Architecture and Landscape Architecture, the Assistant to the Director of the North Dakota Agricultural Experiment Station, and a representative of the Dean of Libraries.
3. Committee responsibilities include:
 - a. Provide for the systematic development and review of the “Campus Master Plan” and Guidelines for Campus Development.
 - b. Recommending policies and procedures to meet the current and future needs for all physical facilities and reviewing changes in University space allocation including classrooms and laboratories.
 - c. Reviewing proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.
 - d. Recommending policies for site location for new buildings and for overall landscaping.
 - e. Recommending traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.
 - f. Recommending plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Membership shall consist of one faculty member from each representation unit, one undergraduate and one graduate student appointed by the Student Government, a staff member appointed by the Staff Senate, a representative from Information Technology Services, a representative of the Dean of Graduate and Interdisciplinary Studies and the Dean of Libraries.
2. Committee responsibilities include:
 - a. Formulating policy recommendations for the NDSU Libraries.

Section 4. University Athletics

1. Membership consists of one faculty member from each representation unit, two students, the Student Body Vice-President, the President of the Student-Athletes Advisory Council, two representatives of the Staff Senate, the Director of Intercollegiate Athletics, the Director of

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Intercollegiate Women's Athletics, the Vice President for Equity, Diversity, and Global Outreach (or designee), and the Faculty Athletic Representative.

2. The University Athletics Committee serves as the NDSU Athletics Advisory Board as described in the constitution of the National Collegiate Athletics Association (NCAA).
3. Committee responsibilities include:
 - a. Promoting compliance with principles of conduct as defined by the NCAA.
 - b. Acting as the Board of Appeals for athletic grievances.
 - c. Initiating and reviewing policies concerning University Athletics and making recommendations for consideration of said policy to the Faculty Senate. Such areas of concern include Guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, eligibility of athletes.
 - d. Reviewing upcoming issues at intercollegiate conference meetings and recommending institutional positions.
 - e. Reviewing the budget of the athletic programs prior to its approval by the University President.
 - f. Stimulating interest in athletic events throughout the University community.

Section 5. Equal Opportunity Hearing Panel

1. Membership shall consist of six faculty members appointed by the Faculty Senate President in consultation with the Senate Executive Committee, six students appointed by the Student Government President, and six Staff members appointed by the Staff Senate President.
2. Each President shall strive for diverse representation (gender, ethnicity, etc) in her/his group of appointees.
3. Committee responsibilities include:
 - a. Acting in accordance with procedures and policy approved by the Senate, specifically Policy 156.

Section 6. University Assessment

1. Membership shall consist of one faculty member from each representation unit, a representative from the General Education Committee, a representative of the Dean of Graduate and Interdisciplinary Studies, the Provost (or designee), one undergraduate student, and one graduate student appointed by the Student Government, a representative from the Division of Student Affairs, a representative from the NDSU Extension Service, a representative from the Office of Institutional, Research and Analysis, a representative from Distance and Continuing Education, and the Director of the Office of Accreditation and Assessment.
2. Committee responsibilities include:
 - a. Periodically reviewing the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and in the NDSU Extension Service.
 - b. Developing procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs, and the NDSU Extension Service on their assessment activities.

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- c. Providing feedback and assistance to departments and other academic units on their assessment activities.
- d. Providing a yearly summary of assessment activities to the Faculty Senate, The Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

Article VI: Amending the Bylaws

Section 1.

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

Section 2.

The Secretary of the Faculty Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Faculty Senate votes to consider the amendment at their next regular meeting.

Section 3.

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

Section 4.

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

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Attachment 8

Approved Revised Undergraduate Learning Outcomes

COMMUNICATION

Students will use a variety of modes, particularly written, oral, artistic, and visual, to

- effectively communicate analysis, knowledge, understanding, expression and/or conclusions
- skillfully use high-quality, credible, relevant sources
- demonstrate appropriate conventions in a variety of communication situations
- demonstrate the ability to communicate effectively with diverse audiences in a variety of contexts

CRITICAL THINKING, CREATIVE THINKING, AND PROBLEM SOLVING

Students will

- explain the nature of evidence used for analysis
- apply quantitative and qualitative methods to collect and analyze data
- apply creativity and divergent thinking
- evaluate the assumptions, evidence, and logic of competing views and explanations
- identify methods of inquiry, approaches to knowledge, and their assumptions and limitations in multiple disciplines
- evaluate, synthesize, and apply evidence to understand and address complex, real world problems
- generate creative, reasoned, approaches or solutions to unscripted, real world problems

UNDERSTANDING AND APPLYING TECHNOLOGY

Students will

- apply technology to demonstrate creativity and solve problems
- use technology to enhance understanding
- identify the social, aesthetic, and ethical implications of technological decisions
- analyze how technology shapes, limits, and augments our experiences and understandings

UNDERSTANDING NATURAL AND PHYSICAL WORLDS

Students will

- analyze ~~the elements~~components and dynamics of natural and physical worlds
- ~~apply the scientific method to investigate and develop models to~~ explain phenomena within natural and physical worlds
- identify the role of scientific methods in the study of natural and physical worlds [new]

UNDERSTANDING HUMAN SOCIETIES

Students will

- ~~analyze the components and dynamics of human societies and their artistic, cultural, and historical contexts~~
- identify the nature and impact role of aesthetic and creative activities ~~in as expressions of~~ human experience
- analyze the interplay of self and society, particularly how social structures shape human experiences and how humans shape social structures [new]
- ~~analyze the components and dynamics of human societies and in their artistic, cultural, and historical contexts~~
- apply theories or research methods to understand human events, identities, artifacts, or social structures
- engage in a creative, aesthetic, or artistic activity [new]
- ~~identify values and contributions of diverse societies, both past and present [deleted]~~
- ~~identify how values and contributions of diverse societies provide contexts for individual experiences, values, ideas, artistic expressions, and identities [moved to Diversity]~~
- analyze how cultural differences, both domestic and international, contribute to and shape solutions to challenges confronting individuals, groups, societies, or the global community [revised & moved to Diversity]

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Attachment 8

DIVERSITY AND GLOBAL PERSPECTIVES

Students will

- identify how values and contributions of diverse societies provide contexts for individual experiences, values, ideas, artistic expressions, and identities [moved from Human Societies]
- identify the role diversity plays in the ability of biological organisms to adapt to a changing environment
- analyze how diversity contributes to and shapes solutions to challenges confronting the global community [revised & moved from Human Societies]
- evaluate how diverse systems (both natural and human-made), technologies, or innovations emerge from, interact with, and affect various communities [new]
- collaborate with others in diverse interpersonal and intercultural settings [moved from Personal and Social Responsibility]

PERSONAL AND SOCIAL RESPONSIBILITY

Students will

- examine their own values, biases, and conclusions
- analyze the ethical basis for and implications of personal, professional, and civic decisions
- comprehend and demonstrate appropriate standard of professional behavior
- identify stewardship of the land and its people as integral to a land-grant university
- analyze human impacts on the world and the importance of sustaining its resources for future generations
- engage in service learning
- ~~collaborate with others in diverse interpersonal and intercultural settings [moved to Diversity]~~

Revised by Core Undergraduate Learning Experiences (CULE) team 04/30/13 & 04/01/14

Approved by Faculty Senate 05/06/13

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May 12, 2014

The Faculty Senate meeting was held at 3:30 pm, in the Prairie Rose Room of the Memorial Union with Dr. H. Hatterman-Valenti presiding and the following senators present: A. Akyuz, K. Benson, U. Burghaus, T. Stone Carlson, M. Clark, A. Denton, S. Duffield, M. Engler, J. Gao, P. Gibbs, E. Gillam, R. Green, T. Hall, C. Hargiss, J. Harmon, F. Huseynov, X. Jia, B. Johnson, J. Jones, F. Littman, K. Maddock Carlin, L. Manikowske, C. Platt, B. Pruess, S. Sather-Wagstaff, G. Shen, B. Suzen, A. Tangpong, L. Thomas, M. Weber, E. Wu, N. Yu and P. Zhao

Substitutions: E. Crawford for C. Hawley, A. Brunt for E. Hilliard, H. Simsek for S. Rahman and M. Strand for R. Sylvester

- MOTION (Sather-Wagstaff/Huseynov): to remove Policy 601 from the table and bring to the floor for discussion later in the meeting. MOTION CARRIED WITH UNANIMOUS CONSENT (See Senate Coordinating Council report).

I. Approval of Minutes

MOTION (Jia/Sather-Wagstaff): to approve minutes of the April 14, 2014, Faculty Senate meeting as distributed.

MOTION TO APPROVE MINUTES, AS AMENDED, CARRIED WITH UNANIMOUS CONSENT.

II. Consent Agenda

- a. Academic Affairs Report ([Attachment 1](#))
 - Request (Shen) to pull CM&E 499/696 from the Consent Agenda due to potential conflict of interest with Statistics course being developed. Moved to Academic Affairs Committee report for further discussion.
- b. Senate Coordinating Council - Policy Change for Information:
 - 1) Policy 331.1 - Course Syllabus ([Attachment 2](#))
 - 2) Policy 333 - Class Attendance ([Attachment 3](#))
 - 3) Policy 103 – Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings ([Attachment 4](#))
 - 4) Policy 151 – Code of Conduct ([Attachment 5](#))
 - 5) Policy 168 – Reasonable Accommodation on the Basis of Disability – Guidelines for Employee Requests ([Attachment 6](#))
 - 6) Policy 232 – Pre-Action Review ([Attachment 7](#))

MOTION (Sather-Wagstaff/Suzen): to approve the consent agenda with the one course removed from the Academic Affairs attachment. MOTION CARRIED WITH UNANIMOUS CONSENT.

III. General Announcements

- a. *NDSU President* –

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May 12, 2014

President Bresciani reported that NDSU's Wrestling team has been ranked one of the strongest academically in the nation (#24). It has over a 3.00 GPA with two Academic All-Americans. This is illustrative of the overall academic program at NDSU. NDSU student athletes have a GPA higher than the student body at large, which is exceptional at the DI level. At NDSU, student athletes are students first, athletes second.

He also fielded questions on the following topics:

- STEM Building – The original committee was advisory on design matters only. Bids have been awarded and they all came in on the mark. NDSU is going to go back to the SBHE to request the 5% that was removed from the project by the state to scale back capital projects. The scope was reduced, but NDSU is going to request those funds be restored so the building can be built to the full scope. Ground breaking is set for May 22 with construction beginning on May 27.

Concern was expressed over the lack of STEM Building space for engineering and upper-level courses. The President responded that the building is oriented toward undergraduate education in the STEM fields, but other disciplines are not restricted from teaching in it during off-peak times. There is, however, a long-term master plan for renovation and construction of the College of Engineering complex to update facilities and meet accreditation issues.

- The Governor has a zero-based budget, but add-ons are allowed.

b. *NDSU Provost* –

Provost J. B. Rafert provided the following updates:

- Joint program in biomedical engineering with UND is moving forward for state level approval.
- Facebook has recognized NDSU as the most desirable campus in North Dakota.
- The Math Emporium will be in the NDSU Library. While the emporium won't be operational until fall 2015, work on the infrastructure will take place in the coming year.
- NDSU ombudsperson, Christine Paranica, will permanently be housed in the NDSU Library, but temporarily will be located in Old Main.
- NDSU received a faculty-endowed donation for a faculty mentoring award and is seeking state matching funds.

c. *President-Elect of Faculty Senate* -

- President-elect Pruess provided an update on Measure 3, which looks at state governance structure for a Board of Higher Education. A committee is being formed and will hold open forums for students, faculty and staff to receive unbiased opinions on all sides of the measure. Several committee members have been identified and Faculty Senate volunteers are being sought. C. Platt and H. Hatterman-Valenti volunteered to serve in this capacity.

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d. *President of Staff Senate -*

W. McCrory (Bison Connection/Bison Card) introduced herself as the new Staff Senate president. She looks forward to working with the Faculty Senate. There is one more Staff Senate meeting this spring and then it does not meet until September. She also announced that the Staff Senate recently awarded \$3,900 in scholarships to 22 students.

IV. Senate Committee Reports

a. *Academic Affairs –*

- J. Bitzan presented an addendum of courses and programs that were approved by the committee after the Senate agenda was posted.

MOTION (Sather-Wagstaff/Hargiss): to approve the addendum with the addition of CM&E 499/696, that was pulled from the consent agenda.

Since CM&E 499/696 are Special Topics courses, they are not approved by Faculty Senate as a new permanent catalog entry, but rather for informational purposes. Special Topics courses expire after three years. It was suggested that the department of Construction Management and Engineering (CM&E) be permitted to offer this course during the summer 2014, but that the departments of CM&E and Statistics collaborate on a permanently numbered course that meets both of their needs.

MOTION CARRIED WITH UNANIMOUS CONSENT.

- Academic Freedom Statement ([Attachment 8](#)) – Academic Affairs slightly revised the statement from the President’s task force on academic freedom. Academic Affairs recommends that it be an optional statement for course syllabi, and plans to bring it back to the Senate next year for inclusion in the Syllabus policy.

Edits to the language were discussed. Faculty is defined as anyone in a teaching capacity. Several universities have such a statement on their course syllabi. President Bresciani emphasized that this is an important statement for students to understand. Academic freedom undergirds everything we do at a research university and that students are important emissaries to the public at large.

MOTION (Sather-Wagstaff/Benson): to encourage faculty to review the proposed statement language and submit additional feedback (to be sent to John Bitzan at john.bitzan@ndsu.edu) for the Academic Affairs Committee to discuss and possibly incorporate in a future statement for the Senate to review.

MOTION CARRIED WITH UNANIOMUS CONSENT.

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b. *Council of College Faculties* –

Hatterman-Valenti announced that Tom Ambrosio (AHSS) has been elected the newest CCF representative, replacing Tom DeSutter for a 3-year term.

c. *General Education/Accreditation* –

L. Peterson presented a proposed Revision of General Education administrative policy 6 ([Attachment 9](#)).

MOTION (Sather-Wagstaff/Gao): to approve. Brief discussion took place regarding general education courses that have higher level equivalents. This policy revision is intended to address requisites, particularly in gateway courses. Departments may reach out to the General Education Committee to request that additional upper level equivalents be listed as general education, or students also may appeal.

MOTION CARRIED WITH UNANIMOUS CONSENT.

d. *Senate Coordinating Council* –

H. Hatterman-Valenti presented the following policies for discussion and vote:

- Policy 601 – Rights and Responsibilities of Community: A Code of Student Conduct ([Attachment 10](#))

Dean of Student Life J. Stoskopf discussed the proposed changes. There is very little content or philosophical change in the revisions, but rather more change in structure, content and flow of document. The aim is for better organization and resonance with faculty. The overview of the code began in May 2013 and involved a broad committee of student, faculty and staff stakeholders. The code applies to all students enrolled at NDSU.

The lengthy numbering system was eliminated, key words were changed ('behavior' to 'conduct'), and it now addresses multiple accountabilities, Good Samaritan responsibilities, service animals, and Title IX compliance. Language regarding weapons was adjusted, Residence Life contract issues were removed, student organization details were incorporated into CSO guidelines, and appeals for suspension/expulsion moved from the President to the VP for Student Affairs.

MOTION (Sather-Wagstaff/Green): to approve revisions as presented. MOTION CARRIED WITH UNANIMOUS CONSENT.

- Policy 352 – Promotion, Tenure, and Evaluation ([Attachment 11](#))

MOTION (Sather-Wagstaff/Benson): to approve revisions as presented. MOTION CARRIED WITH UNANIMOUS CONSENT.

V. Unfinished Business

- SCoFR Proposed Bylaw Revisions ([Attachment 12](#))

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Proposed changes to Bylaws originally were presented at the April meeting.
MOTION (Sather-Wagstaff/Weber): to approve Bylaws revisions as presented.
MOTION CARRIED WITH UNANIMOUS CONSENT.

VI. New Business

- a. Nomination of the Faculty Senate President-Elect –

MOTION (Platt/Hall): to cast a unanimous ballot for Sean Sather-Wagstaff as 2014-15 Faculty Senate President-Elect. MOTION CARRIED WITH UNANIMOUS CONSENT.

- b. Passing of the Gavel –

Hatterman-Valenti passed the gavel to incoming Faculty Senate President Birgit Pruess. Pruess thanked Hatterman-Valenti for a job well done, and congratulated Sather-Wagstaff on his election.

Provost Rafert offered appreciation and a plaque to Hatterman-Valenti for her contributions during the past year.

Hatterman-Valenti thanked T. Stone Carlson for his advisement and support as past-president.

- c. Resolution — ([Attachment 13](#))

Sather-Wagstaff presented a resolution recognizing K. Wold-McCormick for her service as secretary to the Senate.

MOTION (Benson/Shen): MOTION CARRIED WITH UNANIMOUS CONSENT.

- d. Resolution on Required Oath for NDSU Faculty – ([Attachment 14](#))

Sather-Wagstaff presented a resolution related to the oath required, per ND Century Code, by new faculty in North Dakota. UND recently passed a similar resolution in its University Senate.

MOTION (Gibbs/Platt): to approve the resolution.

Discussion ensued on a number of related topics, including the difference in oaths taken by international v. domestic faculty, the comparison with NDSU's diversity policies and affirmative action policies. This will serve as a starting point for a conversation with the provost. There have been many conversations with UND to show solidarity on this issue, and to help new employees understand what they are agreeing to when signing the oath.

Concern over cost was expressed about including this language in all advertisements. It was pointed out that two parts of the resolution are not compatible. Discussion followed on including language about the inclusive mission of higher education and

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NDSU as mirrored by our Diversity policy. The idea was raised to include materials in HR/application materials as well. L. Peterson provided a historical perspective on the two statements for citizens and non-citizens. Another question was raised about the narrow origin of what we can object to (should it be broader than just separation of church and state). The goal is to act on this now based on the timely nature of the issue and what has been in the media. The actual policy will not be formulated until fall.

MOTION (Platt/Gibbs): to amend the resolution as follows:

NOW, THEREFORE, BE IT RESOLVED that NDSU's Faculty Senate proposes that any oath or affirmation to support the North Dakota Constitution (required as a condition of employment) include a statement that the individual employee or potential employee has the right to make a "conscientious objection" to that oath ~~specifically related to the separation of church and state and equal protection under the law~~, and space for an individual to do so as part of the contract or separate oath/affirmation paperwork.

MOTION TO AMEND CARRIED WITH A VOTE OF 24-0-3. The following senators or their substitutes vote aye: Akyuz, Benson, Clark, Denton, Duffield, Engler, Gillam, Green, Hargiss, Harmon, Huseynov, Johnson, Jones, Littman, Maddock Carlin, Manikowske, Platt, Rahman, Sather-Wagstaff, Thomas, Weber, Wu, Yu and Zhao

The following senators or their substitutes voted no: Jia, Hawley, and Shen

MOTION (Green/Gordon): to further amend the resolution as follows:

~~BE IT FURTHER RESOLVED~~ that NDSU's Faculty Senate ~~proposes that all~~ encourages that ~~advertisements~~ online application for open faculty or academic positions at NDSU contain the following specific language:

MOTION TO AMEND CARRIED UNANIMOUSLY.

MOTION TO APPROVE RESOLUTION AS AMENDED CARRIED WITH UNANIMOUS CONSENT.

VII. Adjournment

Meeting adjourned at 5:15 p.m.

Submitted,

Kristi Wold-McCormick, Ph.D.
Secretary, Faculty Senate

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Attachment 1

Curricular Recommendations

New Courses								
Subject	No.	Title	Crs.	Effective Term				
ANSC	358	Equine Genetics	2	Fall 2014				
ARCH	233	Math for Designers	1	Fall 2014				
HNES	353	Adapted Physical Education	3	Spring 2015				
PSCI	367	Pharmaceutical Calculations	1	Fall 2014				
UNIFORM	193-493	Undergraduate Research	1-5	Fall 2014				
Course Deletion								
ADHM	465	Aging and the Environment	3	Fall 2014				
COMM	489	Communication Capstone	4	Fall 2014				
COMM	602	Contemporary Rhetoric	3	Fall 2014				
COMM	612	Gender and Communication	3	Fall 2014				
COMM	633	Legal Communication	3	Fall 2014				
COMM	643	Mass Media and Public Opinion	3	Fall 2014				
COMM	650	Issues in Communication	3	Fall 2014				
COMM	755	Rhetoric/Environmental Science	3	Fall 2014				
EDUC	705	Teaching College Science	3	Fall 2014				
EMGT	411/611	Community Disaster Preparation	3	Fall 2014				
EMGT	413/613	Building Disaster Resilient Communities	3	Fall 2014				
EMGT	431/631	Disaster Response Operations and Leadership	3	Fall 2014				
EMGT	483/683	Holistic Disaster Recovery	3	Fall 2014				
ENGL	111	Honors Composition I	3	Fall 2014				
MUSC	201	World Music	3	Fall 2014				
MUSC	228	Development of Musical Theatre	3	Fall 2014				
PHRM	451	Pharmaceutical Care III	1	Fall 2014				
PHRM	461	Introduction to Pharmaceutical Industry	2	Fall 2014				
PHRM	464	Current Concepts in Pharmacy Practice	2	Fall 2014				
PHRM	471	Clinical Pharmacokinetics	2	Fall 2014				
PHRM	558	PTDI: Gastroenterology and Nutrition	2	Fall 2014				
THEA	350	Studio Theatre 1-2	1-2					
Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
ARCH	341	Site Design for Architects	4	ARCH	341	Site Design for Architects	3	Fall 2014
BIOL	705	Teaching College Science	3	STEM	810	Teaching College Science	3	Fall 2014
ECE	275	Digital Systems I	3	ECE	275	Digital Design	4	Fall 2014

Change in Prerequisites/Corequisites and Change in Bulletin Descriptions				
Subject	No.	Title	Prerequisite/Corequisite Change	
COMM	465	Convergence Media	Req: Communication professional plan majors or minors only	Fall 2014
EDUC	321	Introduction to Teaching	Delete all existing prerequisites/corequisites	Fall 2014
MICR/CFS	453	Food Microbiology	Prereq: MICR 350L	Fall 2014
MICR	486	Capstone Experience in Microbiology	Req: Microbiology majors only; senior standing, Permission from advisor	Fall 2014
PSCI	368	Pharmaceutics I	Change in Bulletin Description	Fall 2014
RNG/NRM/ SOIL	454	Wetland Resources Management	Prereq: SOIL 210	Fall 2014
New Temporary/Special Topics (For information only)				
CM&E	499/696	Geostatistics for Engineers and Scientists	4	Summer 2014
HIST	399	Oral History Theory and Practice	3	Fall 2014
HNES	499	Sport and Recreation in Movies: Reflections of our Society	3	Fall 2014
POLS	499	European Union Politics	3	Fall 2014
Selective Admission (For Information only)				
Emergency Management Undergraduate Bachelor's Degree Program				
Correction/Update to Previously Listed Program Option - Originally Listed in February 2014 Senate minutes (For information only)				
Leadership Option in Education, M.Ed. Degree - Licensure Track in Educational Leadership Program, M.Ed. Degree Only				

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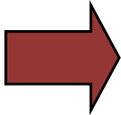
May 12, 2014

Attachment 2

Policy 331.1 Version 1 031314

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name-331.1: Course Syllabus

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

- Is this a federal or state mandate? Yes No
- Describe change:

Clarification on activation orders and the policy in place for students that become activated without having activation orders in hand.

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

- Student Government-Calie Craddock and Chris McEwen
- Email address of the person who should be contacted with revisions-calie.craddock.2@ndsu.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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Attachment 2

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SECTION 331.1 COURSE SYLLABUS

SOURCE: NDSU Faculty Senate

Each course taught at NDSU shall have a syllabus to provide specific class information for students and to fulfill federal and other legal requirements.

The following categories of information shall be included on all syllabi:

- Course prefix, catalog number, credits, and title
- Instructor and contact information
 - Include campus address, phone number, email address, office hours
- Bulletin description
 - Description on syllabus must be consistent with the description listed in the current course catalog. Additional information may be included after the bulletin description in a syllabus.
- Course objectives
 - List objectives, goals, aims and/or outcomes for the course.
 - All General Education course syllabi and course web sites must identify the course as having been approved for General Education and include the General Education category and outcomes. See [General Education Course Syllabi Requirement](#).
 - For courses offered for both undergraduate and graduate credit, course objectives should be written to clearly define the increased expectations for graduate students in these courses.
- Evaluation procedures and criteria
 - Indicate how students are evaluated, including tests, quizzes, papers, assignments, weight of the assignments, etc.
 - Clearly identify how course grades are determined.
 - If a course is offered for both undergraduate and graduate credit, the additional requirements for graduate students must be clearly described on the syllabus. These courses require a significant, identifiable higher level of expectations for the performance of the graduate students.
- Attendance
 - If class attendance is a component of the course grade, the course instructor must clearly communicate this in the syllabus. See [NDSU Policy, Section 333](#) for faculty and student responsibilities related to attendance, including for university-sponsored activities.
 - Faculty are encouraged to provide the following statement on syllabi: “Veterans and student [soldiers-servicemembers](#) with special circumstances or who are activated are encouraged to notify the instructor [in advance as soon as possible and are encouraged to provide Activation Orders.](#)”
- Course schedule/outline/calendar of events
 - Provide students with a tentative projected outline of significant events that occur throughout the semester, including assignments, projects, examinations, field trips, guest speakers, etc.

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- Note the NDSU Dead Week policy, which limits the amount and type of exams/quizzes that may be given during the last two weeks of the semester and identifies exceptions. See [NDSU Policy Section 336: Examination and Grading](#).

- Student resources
 - List books, lab manuals, technology, supplies, calculators, and any other materials required or recommended for the student to complete the course requirements.
- American with Disabilities Act statement
 - The following statement must appear on all syllabi:
Any students with disabilities or other special needs, who need special accommodations in this course are invited to share these concerns or requests with the instructor and contact the [Disability Services Office](#) as soon as possible.
- Approved academic honesty statement.
 - The following statement must appear on all syllabi:
The academic community is operated on the basis of honesty, integrity, and fair play. [NDSU Policy 335: Code of Academic Responsibility and Conduct](#) applies to cases in which cheating, plagiarism, or other academic misconduct have occurred in an instructional context. Students found guilty of academic misconduct are subject to penalties, up to and possibly including suspension and/or expulsion. Student academic misconduct records are maintained by the [Office of Registration and Records](#). Informational resources about academic honesty for students and instructional staff members can be found at www.ndsu.edu/academichonesty.

In addition to the above, a statement of a college honor code, if applicable, should be included.

HISTORY:

New	September 28, 2000
Amended	February 2009
Housekeeping	December 2010
Housekeeping	February 14, 2011
Amended	June 1, 2011
Amended	February 11, 2014

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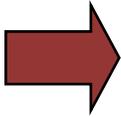
May 12, 2014

Attachment 3

Policy 333 Version 1 031314

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name-333: Class Attendance Policy

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

- Is this a federal or state mandate? Yes No
- Describe change:

Provide more clarification to military members and faculty the proper method of communicating with Faculty about activation orders.

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

- Student Government-Calie Craddock and Chris McEwen
- Email address of the person who should be contacted with revisions-calie.craddock.2@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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SECTION 333 CLASS ATTENDANCE POLICY AND PROCEDURE

SOURCE: NDSU Faculty Senate Policy

1. GENERAL PHILOSOPHY

- a. Attendance in classes is expected. Only the course instructor can excuse a student from course responsibilities. (The term course includes class, laboratory, field trips, group exercises, or other activities.)
- b. If class attendance is a component of the course grade, the course instructor must clearly communicate this to the class in writing in the syllabus.

2. FACULTY RESPONSIBILITY

- a. The course instructor must clearly inform students on the first day of class and in writing in the syllabus (1) of their policy regarding class absence (including if supporting documentation is required; and (2) policy for making up missed assignments. It is recognized that sometimes an assignment is impossible to make-up.
- b. The course instructor must exercise a fair and consistent standard for resolving questions of missed assignments, the type, extent, manner, and time frame of the make-up assignments.

3. STUDENT RESPONSIBILITY

- a. Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two-week notice). Where advance notification is not possible (e.g., illness, family emergency), students should contact their course instructor as soon as possible about the absence. Veterans and student ~~soldiers~~ [servicemembers](#) with special circumstances or who are activated, [to include State Active Duty](#), are encouraged to notify the instructor ~~in advance~~ [as soon as possible, provide Activation Orders if possible](#), and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.
- b. When a student misses class for any reason, the student is responsible for contacting the instructor to make arrangements to follow the course instructor's policy in making up any missed assignments, if permitted.

HISTORY:

New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004

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Attachment 3

Amended June 2007
Housekeeping February 14, 2011
Amended January 28, 2014

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Attachment 4

Academic Freedom Statement

Opportunity for expression of diverse points of view between faculty and students generates academic freedom. Faculty members are entitled to full freedom in lecturing or conducting demonstrations in their subject or field of competence. Students have a right to access all information about the subject matter and to courteously express their informed views without fear, recrimination, or punishment. However, the academic freedom afforded to faculty and students also entails responsibility. Faculty and students are responsible for being informed about the subject matter and for respecting others. For further information on academic freedom see NDSU Policy 325 <http://www.ndsu.edu/fileadmin/policy/325.pdf>

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Attachment 5

General Education Administrative Policy #6: Proposed Revision, December 11, 2012

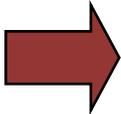
1. The purpose of policy 6 is to allow students to earn general education credit for successfully completing courses that are either advanced, yet similar to recognized general education courses or that have a recognized general education course as a prerequisite. When the policy was first created NDSU had very few prerequisites. Now there are several departments, such as English, that require successful completion of one prerequisite course, such as English 120, in order to take many upper level courses in the same department. This creates an issue with policy 6, as students would be able to take almost any upper level English course and argue that it fulfills a general education requirement according to policy 6. The revisions to policy 6 give departments and administration more control over which courses may be taken to satisfy general education requirements, while still allowing students to benefit from the policy when appropriate. The Office of Registration and Records staff will continue to use their knowledge of academic programs and their professional judgment to fairly and appropriately apply policy 6. When special circumstances or questions arise, the Office of Registration and Records staff may consult with either the General Education Committee or with departmental leadership to determine an appropriate course of action.

General education requirements ~~can~~may be met by ~~successful completion of a course for which an approved general education course in the same department is a prerequisite or by successful completion of an advanced course in the same department with comparable course content or, on a limited basis and subject to~~ approval by the General Education Committee in consultation with the appropriate department administrative approval, by successful completion of a course for which an approved general education course in the same department is a prerequisite.

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Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name – 103/Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes No
 - Describe change: The term “graduate level positions” in Section 2.2 is too ambiguous and does not correspond sufficiently to graduate students. Please replace the words “graduate level positions” with “graduate level degree seeking students”.
2. This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted – Chris Wilson/Office of the General Counsel
 - Email address of the person who should be contacted with revisions mimi.monson@ndsuh.edu or christopher.s.wilson@ndsuh.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President’s Council:

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

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SECTION 103

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY ON THE ANNOUNCEMENT OF POSITION OPENINGS

SOURCE: NDSU President

This policy addresses requirements and procedures for position openings. Regardless of the position announcement procedures that are followed, all employment decisions within the University are subject to equal opportunity laws and regulations and NDSU's Equal Opportunity and Non-Discrimination [Policy 100](#). For equal opportunity purposes, all appointments to payroll budget positions and equivalent positions supported by non-appropriated funds are subject to the search, recruiting, and hiring processes in Sections [202](#) and [304](#) of this manual.

Section 1 pertains to staff positions. Section 2 pertains to faculty and executive/administrative positions. Section 3 pertains to all positions.

STAFF

1. Staff (as defined in [NDSU Policy 101.1.1](#) generally referred to as “broadbanded employees” include those positions in the following job band: 1000, 3000, 4000, 5000, 6000, and 7000).
 - 1.1 If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for equal to or more than twenty weeks, the position shall be announced throughout the appropriate recruiting area as defined in Section [200](#) of this Manual.
 - 1.2 Generally speaking, the recruiting areas are as follows for staff positions:
 - 1.2.1 Administrative/managerial positions in the 1000 band: national.
 - 1.2.2 Professional positions in the 3000 band: regional.
 - 1.2.3 Technical/Paraprofessional (4000); Office Support (5000) Crafts/Trades (6000); and Services (7000): local (Fargo-Moorhead community and/or surrounding counties as applicable).
 - 1.3 When a benefitted staff position vacancy occurs and there is a pool of regular employees appropriately qualified for transfer or promotion (including former employees covered by Reduction in Force policy, [Section 223](#)), a unit supervisor may choose to advertise a vacant position internally for a minimum of five working days prior to initiating an external search. The procedures, which involve utilizing the online application system for these internal searches, will be the same as those external searches as mentioned in subsection 1 (see Section [202](#)). The Human Resources/Payroll Office, in consultation with the unit supervisor, will be responsible to determine whether a pool of appropriately qualified employees exists.
 - 1.4 If the appointment is either less than .50 FTE or clearly stipulated to be for a total duration of less than twenty weeks (non-benefitted), no formal position announcement posting to the online employment application system is required. Unit supervisors are, however, encouraged to announce benefitted positions. The announcement may be distributed within the University to the eligible staff of the particular administrative unit involved. Affirmative action efforts must still be undertaken to ensure that qualified minority individuals, females, and individuals with

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disabilities are included in the applicant pool. Proof of affirmative action efforts will be required, such as documentation reflecting an open announcement to all eligible staff of an appropriate unit or adequate written documentation on why the candidate is being selected for the opportunity without an announcement to the appropriate unit. Distributing the position announcement to the other Tri-College University institutions or within the Fargo-Moorhead community is also encouraged.

- 1.5 Recruitment for all benefitted staff positions in the 1000 and 3000 bands shall include the use of a search committee of at least three people to be appointed by the unit administrator at the time the unit requests authorization to fill a position opening. Unit administrators are urged to consider the importance of diversity when making appointments to search committees.
 - 1.5.1 The search committee shall be involved in recruiting, screening, and interviewing applicants, with particular responsibility for affirmative action efforts to solicit and include applicants from underrepresented and protected groups. Selection from the group of finalists of the individual to fill the position is the responsibility of the unit administrator. A member of the Human Resources shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.
- 1.6. Although unit leaders are encouraged to post throughout the University any staff position that offers an important promotional opportunity to employees in other departments, the formal procedures for filling positions that involve utilizing the online application system for job announcements (see Sections [202](#) for broadbanded positions and [304](#) for non-banded) shall be optional in the following cases. (Whenever an appointment is based on one of the following options, the request to recruit must be completed online for benefitted positions and the specific option should be noted in the appropriate section of the online request to offer or on the [NDSU Change Form \(101\)](#) with relevant documentation attached.)
 - 1.6.1 Timeslip employment that is not identified as a payroll budget appointment.
 - 1.6.2 The transfer or promotion of an employee within a department or office, provided that the employee is fully qualified for the new position and was originally hired through a competitive search. This exception excludes faculty positions. This option is governed by [NDSU Policy 240](#) which provides procedures and the requirement of the hiring department to obtain permission from the Director of Human Resources/Payroll who will review for appropriateness of the promotion including equitable issues.
 - 1.6.3 When there is concurrence by the hiring department, reassignment due to:
 - 1.6.3.1 An injury resulting in worker's compensation award and subsequent retraining; or
 - 1.6.3.2 A reduction-in-force.
 - 1.6.4 When an employee, at time of hire or within two years of employment, has a spouse or partner who is fully qualified and interested in a university position. (Please note the responsibilities lies with the employed spouse/partner's unit supervisor to encourage the spouse/partner to locate positions that they feel they are fully qualified for and make an appointment with a staff member in Human Resources/Payroll Office and/or with the head/chair of the appropriate unit to review the spouse's/partner's education and experience. The hiring department will make the final hiring decision.

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- 1.6.5 At the request of the appropriate supervisor, the reinstatement of a former NDSU employee who has left his/her employment within the previous nine (9) months, provided that:
 - 1.6.5.1 The employee had a satisfactory performance record; and
 - 1.6.5.2 The employee is returning to a position requiring similar qualifications and having similar responsibilities; and
 - 1.6.5.3 The position is within the department where he/she worked at the time of resignation.

Faculty and Executive/Administrative Staff

2. Executive/Administrative (primarily in 0000 job bands) and benefitted Academic Staff (in 2000 band – bands are defined in [NDSU Policy 101.1.2](#)), generally referred to as “non-banded employees,” include such positions as tenured and tenure-track faculty and deans. Recruitment falls under two primary categories: half time or less or interim (2.1) and more than half time (2.2).
 - 2.1 Titled and/or Compensated Positions (Less Than .50 FTE or Interim)

If the appointment is less than .50 FTE or stipulated to be for less than twenty weeks, the titled or compensated position shall be announced internally within the unit (and to other relevant internal units as appropriate to the position). The unit supervisor must ensure transparency and equal opportunities for individuals to learn about and apply for the positions. This means the unit supervisor must announce the position to appropriate unit(s) internally and accept applications for at least ten working days. Documentation of the announcement and review of applications must be provided to the Office of Equity, Diversity, and Global Outreach before the position is offered so Equity, Diversity, and Global Outreach can ensure compliance with this policy. Even when using internal searching, for any positions that come with fringe benefits, the formal search process detailed in [Policy 304](#) must be followed.
 - 2.2 Equal to or Greater Than .50 FTE, Non-Interim Positions

If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for equal to or more than twenty weeks, the position shall be announced throughout the appropriate recruiting areas as defined in [Section 103.1](#) of this Manual (with the exception of ~~Graduate-graduate~~ level ~~degree seeking positions~~ students).

 - 2.2.1 Generally speaking, the recruiting areas are:
 - 2.2.1.1 Executive/Administrative positions in the 0000 band: national.
 - 2.2.1.2 Benefitted Academic staff such as tenure/tenure track faculty in the 2000 band: national.
 - 2.2.1.3 The 2000 level: lecturer, assistant coach, assistant experiment station specialist, Extension district directors, Extension area specialists, and Extension field staff: regional.
 - 2.2.2 Recruitment for all benefitted executive/administrative and academic staff positions (all those in the 0000 and 2000 job bands) shall include the use of a search committee of at least three people to be appointed by the unit administrator at the time the unit requests

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authorization to fill a position opening. Unit administrators are urged to consider the importance of diversity when making appointments to search committees. [NDSU Policy 339](#) requires for every faculty recruiting committee to include faculty from the unit and at least one student. A unit may wish to include both an undergraduate and a graduate student on the committee.

- 2.2.3 The search committee shall be involved in recruiting, screening, and interviewing applicants, with particular responsibility for affirmative action efforts to solicit and include applicants from underrepresented and protected groups. Selection from the group of finalists is the responsibility of the unit administrator and is based on the recommendation of the search committee. The Vice President for Equity, Diversity, and

Global Outreach or designee shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.

- 2.2.4 Exceptions to searches for benefitted executive/administrative, and academic and professional broadbanded staff positions listed (greater than .50 FTE and longer than 4 months) are limited to the following:

2.2.4.1 The transfer of an academic staff member from a lecturer line to a probationary appointment as outlined in the employee's original contract provided that he or she had secured the appointment on a nationally competitive basis.

2.2.4.2 An externally funded appointment as a postdoctoral fellow, research scientist, or broadbanded research professional in a department where the individual has just completed an NDSU graduate degree and the assignment involves continuation of the research used for the individual's thesis/dissertation. This appointment is limited to the period for which funding has been given and normally may not exceed two years.

2.2.4.3 With prior approval, the temporary appointment of a person to a grant-funded position when the individual has been instrumental in the development of the project or is identified by name in the proposal as having unique expertise necessary to the project. This temporary appointment may not be continued beyond the period of the grant project, and the individual may not be transferred to any other University appointment without an appropriate search.

Note: To use this option, proposal writers should indicate their intention on the transmittal form and provide a letter of explanation when the proposal is submitted to the Office of Sponsored Programs Administration. Those submitting proposals for internal funding that are not reviewed in Sponsored Programs Administration should contact the Office for Equity, Diversity, and Global Outreach prior to submitting the proposal.

2.2.4.4 When an employee, at time of hire or within 2 years of employment, has a spouse or partner who is fully qualified and interested in a university

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position, the department or unit administrator is responsible to:

- 2.2.4.4.1 Contact Human Resources/Payroll Office and/or the relevant academic department(s) as soon as possible (depending on the spouse's/partner's education and experience); and
- 2.2.4.4.2 Encourage the spouse/partner to locate positions that they feel they are fully qualified for and make an appointment with a staff member in Human Resources/Payroll Office and/or with the head/chair of the appropriate unit to review the spouse's/partner's education and experience. The hiring department will make the final hiring decision.

2.2.4.5 At the request of the appropriate supervisor and with unit support, the reinstatement of a former NDSU employee who has left his/her employment within the previous nine (9) months, provided that:

- 2.2.4.5.1 The employee had a satisfactory performance record; and
- 2.2.4.5.2 The employee is returning to a position requiring similar qualifications and having similar responsibilities; and
- 2.2.4.5.3 The position is within the department where he/she worked at the time of leaving.

2.2.4.6 When there is concurrence by the hiring department, reassignment due to:

- 2.2.4.6.1 An injury resulting in worker's compensation award and subsequent retraining; or
- 2.2.4.6.2 A reduction-in-force.

All Positions

3. Exceptions to this policy may be authorized by the President in unique circumstances. A written request for the Presidential exception is initiated by the hiring department and forwarded through the appropriate supervisory line to the unit's dean or director. If there is support from the dean or director, the request is forwarded to the Provost or the appropriate vice president. If the request is supported by the vice president after consultation with the Vice President for Equity, Diversity, and Global Outreach and the unit's dean and director, it is forwarded by the Provost or Vice President to the President for consideration.

HISTORY:

New May 15, 1978
Amended February 6, 1979

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Attachment 6

Amended	April 21, 1981
Amended	November 13, 1989
Amended	September 24, 1991
Amended	April 1992
Amended	August 1993
Amended	December 1994
Amended	May 4, 1999
Amended	October 2001
Amended	October 2004
Amended	April 2005
Amended	October 2006
Amended	October 2007
Amended	May 2008
Housekeeping	September 2009
Housekeeping	July 2010
Amended	October 2010
Housekeeping	December 2010
Housekeeping	March 2011
Amended	September 30, 2012
Amended	February 4, 2014
Housekeeping	March 20, 2014

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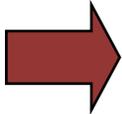
May 12, 2014

Attachment 7

Policy 151 V2 04252014

Policy Change Cover Sheet

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



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

SECTION: *Policy Number 151 CODE OF CONDUCT*

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
2. *Office of HR/Payroll is proposing the addition of the expected behaviors for NDSU employees into section 2. General Conduct. This was originally* a proposal from the NDUS Human Resource Counsel to add to the Code of Conduct Policy. This office is requesting the addition to state appropriate workplace behavior. NDSU has many disciplinary actions where employees don't understand what appropriate workplace behavior. There are policies that address alcohol, discrimination, and violence in the workplace, but there are no policies defining appropriate workplace behavior i.e. being respectful of others/being a nice person. Eliminate the word Board Members and capitalize "Officers" in the section being added because NDSU's policies do not impact members of the State Board of Higher Education.

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

- *Human Resources/ Payroll/12-19-2013*
- Colette.erickson@ndsu.edu
- [Chris Wilson, General Counsel's office, christopher.s.wilson@ndsu.edu](mailto:christopher.s.wilson@ndsu.edu)

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

This portion will be completed by Melissa Lamp

Senate Coordinating

Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

If you have any questions regarding this cover sheet, please contact Melissa Lamp at 1-6133 or Melissa.lamp@ndsu.edu. The formatting of this policy will be updated on the website once the content has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to Melissa.Lamp@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

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SECTION 151 CODE OF CONDUCT

SOURCE: State Policy Manual, Section 308.1
State Policy Manual, Section 611.4
NDSU President

1. Introduction and Application. This Code of Conduct governs the State Board of Higher Education and its members and establishes minimum standards for all NDUS officers and employees. The Board and entire NDUS are committed to uphold the highest ethical and professional standards. All Board members and NDUS officers and employees must, at all times, comply with all applicable laws, regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, or bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law.

2. General Conduct. The Board supports an environment that is free of discrimination or harassment. All Board members, officers and employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of the NDUS, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or applicable system office or institution policies, are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law or SBHE Policy 603.1, is prohibited.

~~Board members, o~~*Officers and employees are expected to uphold the values of honesty, respect, integrity and trust. In addition, when interacting with one another and the public, all are expected to behave in a professional, collegial, cordial, civil, positive, respectful and ethical manner.*

3. Conflicts of Interest. All Board members, officers and employees are expected to perform their duties conscientiously, honestly, and in accordance with the best interests of the NDUS. All Board members, officers and employees must comply with applicable federal and state laws. Board members, officers and employees may not unlawfully use their position or the knowledge gained as a result of their position for private or personal advantage. All Board members, officers and employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of federal or state law or SBHE policy is encouraged to communicate with a superior or with legal counsel.

3.1 Conflict of Interest – Contracts.

An officer of the North Dakota State Board of Higher Education authorized to sell or lease any property or make any contract in the officer's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract.

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Pursuant to N.D.C.C. Section 48-02-12, employees of the Board may not have any interest in a public construction or repair contract.

An employee of the Board may not have an interest in any contract involving the expenditure of public or institutional funds entered into by the institution that the employee serves or by the Board unless:

a. N.D.C.C. Sections 12.1-13-03 and 48-02-12 do not apply; and

b. The contract is approved by the institution's chief financial officer or, if the employee in question is the chief financial officer or president of an institution or an officer of the Board, by the Board, following full disclosure of the employee's interest.

All employees involved in projects receiving federal funds shall consult applicable federal laws and regulations and comply with conflict of interest rules which may govern federal grants or other sponsored agreements.

An officer or other employee who violates this policy is subject to dismissal or other disciplinary action.

Employees of NDSU authorized (including delegated authority) by Policy 712 to enter into contracts on behalf of the University must sign the North Dakota State University Conflict of Interest Disclosure Statement. All other employees will be provided notice about this Policy but need only sign the statement if they have a conflict. Notices and collection of statements shall be administered by the Purchasing Office.

Employees have an obligation to act in the best interests of NDSU. Any direct or indirect personal or financial interest which could create a conflict of interest or the appearance of a conflict of interest in any agreement, transaction or relationship must be disclosed by the employee by completing and signing the North Dakota State University Conflict of Interest Disclosure Statement and submitting it to the employee's supervisor. This includes but is not limited to the disclosure of privately owned assets being used or otherwise commingled with state assets and participation in any foundation, business or public entity which may create a conflict with an employee's obligations to NDSU. See also NDSU Policy 152: External Professional Activities.

4. Outside Activities and Employment.

Board members, officers and employees share responsibility for good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to the NDUS and is encouraged. However, officers and employees must comply with applicable federal and state laws, policies in Section 611 of the SBHE Manual and related system office and institution policies. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving the NDUS of their best efforts in fulfilling their job duties or that create a conflict of interest, or an obligation, interest, or distraction that interferes with the independent exercise of judgment in the NDUS' best interest.

5. Relationships with Clients and Suppliers; Conflicts of Interest. Board members are not NDUS employees and may have other full or part-time employment and other professional, civic and personal responsibilities and activities, in addition to their part-time service as Board members. Nevertheless, Board members must be familiar with and comply with applicable laws governing conflict of interest that apply to Board members and should strive to avoid other activities that

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create an obligation, interest or distraction that interferes with the independent exercise of judgment in the best interest of the NDUS. They should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the NDUS or NDUS institution, or that provides goods or services to the NDUS, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties.

6. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions.

Excluding on de minimus contributions, such as purchase of a meal at reasonable value as part of a conference or other event with no conditions attached to such purchase and as permitted under applicable federal and state laws, Board members, officers and employees may not accept favor of any person or organization with whom or with which the NDUS or NDUS institution has, or is likely to have, business dealings. Similarly, Board members, officers and employees may not accept any other preferential treatment under circumstances that because of their position with the NDUS, the preferential treatment may influence or be perceived as influencing their official conduct. Board members, officers and employees may not receive payment or compensation of any kind from any source for NDUS duties and responsibilities, except as authorized under applicable law or NDUS pay policies. Specifically, the acceptance of "kickbacks" or commissions in any form from vendors, suppliers or others is prohibited.

7. NDUS Funds and Other Assets

Board members, officers and employees who have access to NDUS fund and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDUS procedure manuals or other explanatory materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior or to legal counsel.

Board members, officers and employees responsible for spending or approving expenditure of NDUS funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of the NDUS to ensure that good value is received for every expenditure. NDUS funds and all other assets are for NDUS purposes only and not for personal use or benefit. NDUS or other public equipment, supplies and other property or assets may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or policy.

8. NDUS Records and Communications.

Accurate and reliable records of many kinds are necessary to meet NDUS legal and financial obligations and to manage the affairs of the NDUS. NDUS books and records must reflect in an accurate and timely manner all business transactions. Board members, officers and employees responsible for accounting and recordkeeping must fully disclose and record all assets and liabilities and exercise diligence in enforcing these requirements. Board members, officers and employees must not make or engage in any false record or communication of any kind, whether internal or external, including, but not limited to, false expense, attendance, enrollment, financial, or similar reports and statements, or false advertising, deceptive marketing practices, or other misleading representations.

9. Dealing with Outside People and Organizations.

Board members, officers and employees must take care to separate their personal roles from their NDUS positions when communicating on matters not involving NDUS business. They may not use NDUS identification, stationery, supplies, and equipment for personal or political

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matters. When communicating publicly on matters that involve NDUS business, Board members, officers and employees may not represent that they speak for the NDUS, unless that is one of their duties or they are otherwise authorized to do so. When dealing with anyone outside the NDUS, including public officials, Board members, officers and employees must take care not to compromise the integrity or damage the reputation of the NDUS or any institution.

10. Prompt Communications.

In all matters involving communication with NDUS students, customers, suppliers, government authorities, the public and others, Board members, officers and employees must endeavor to make complete, accurate, and timely communications and respond promptly and courteously to all proper requests for information and complaints.

11. Privacy, Confidentiality and Open Records.

Board members, officers and employees must at all times comply with applicable laws, regulations and SBHE policies concerning privacy, confidential records, access to open records and records retention.

12. Reporting Suspected Violations; Procedures for Investigating Reports.

Officers and employees shall report suspected violations of this Code to their superior, some other senior manager or administrator or legal counsel. In addition, the NDUS shall maintain a fraud hotline and suspected violations may be reported by use of that hotline. Any officer or employee who makes a report in good faith shall be protected against retaliation of any kind; any officer or employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline. Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.

Board members who have information concerning a possible violation of this Code or are uncertain about application or interpretation of any legal requirement should report the matter to the chancellor, legal counsel or the attorney general.

Alleged violations of this Code involving NDUS officers or employees shall be investigated by the appropriate NDUS officer. All officers and employees shall cooperate in investigations of alleged violations. A violation of this Code is cause for dismissal or other appropriate disciplinary action, in addition to any criminal or other civil sanctions that apply.

13. Institution Codes.

The NDUS office and each NDUS institution shall adopt and implement a Code of Conduct consistent with this Code and Committee of Sponsoring Organization of the Treadway Commission (COSO) Standards. NDUS office and institution codes shall include:

- a. A Statement of the organization's values;
- b. The people or groups of people affected;
- c. A brief description or list of key behaviors that are accepted and not accepted;
- d. How to identify and resolve conflicts of interest;
- e. How to report violations and to whom;
- f. Consequences of violating the Code;
- g. Consequences of failure to report known or suspected violations; and
- h. How reports will be investigated. The NDUS office and each institution shall require that each new employee review the Code of Conduct and sign a statement certifying the employee has read and agrees to comply with the Code. Further, all benefited employees are required to annually certify in writing that they have read and are in compliance with the Code of Conduct.

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Resources and Related Policies:

[NDSU Policy 100: Equal Opportunity and Nondiscrimination Policy](#)

[NDSU Policy 110: Employment of Relatives](#)

[NDSU Policy 100.1: Nondiscrimination of the basis of Disabilities and Reasonable Accommodation](#)

[NDSU Policy 112: Pre-employment and Current Employee Criminal Record Disclosure](#)

[NDSU Policy 151: Conflict of Interest](#)

[NDSU Policy 151.1: External Activities and Conflicts of Interest](#)

[NDSU Policy 152: External Professional Activities](#)

[NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees](#)

[NDSU Policy 160: Political Activities of University Employees](#)

[NDSU Policy 161: Fitness for Duty](#)

[NDSU Policy 162: Sexual Harassment Policy](#)

[NDSU Policy 162.1: Consensual Relationships](#)

[NDSU Policy 169: Employee Responsibility and Activities: Theft and Fraud](#)

[NDSU Policy 169.1: Employee Misuse of Property Reports - - Protections](#)

[NDSU Policy 190: Employee Responsibility and Activities: Intellectual Responsibility](#)

[NDSU Policy 323: Selection of Textbooks and other Curricular Materials](#)

[NDSU Policy 326: Academic Misconduct](#)

[NDSU Policy 345: Research Involving Human Subjects NDSU Policy 340.1: Coursepacks](#)

[NDSU Policy 400: Purchasing - General Policies](#)

[NDSU Policy 406: Surplus Property](#)

[NDSU Policy 505: Property, Plant and Equipment](#)

[NDSU Policy 700: Services and Facilities Usage](#)

[NDSU Policy 700.1: Use of University Name](#)

[NDSU Policy 700.2: Taking Equipment Off-Campus](#)

[NDSU Policy 700.3: Personal Use of State Property](#)

[NDSU Policy 710.1: Web Advisory Board](#)

[NDSU Policy 712: Contract Review](#)

[NDSU Policy 718: Public/Open/Restricted Records](#)

[NDSU Policy 823: Financial Disclosure - sponsored Projects](#)

[NDUS Policy 603.3: Nepotism](#)

[NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility](#)

[NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest](#)

[NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials](#)

[NDUS Policy 803.1: Purchasing Procedures](#)

[Conflict of Interest Form](#)

[NDSU Consulting Authorization Request Form](#)

[NDSU Fraud Hotline](#)

[AAUP Statement of Professional Ethics](#)

[NDSU Research Foundation](#)

[N.D.C.C. Ch. 12.1-13 \(See section 12.1-13-03: Public servant's interest in public contracts.\)](#)

[N.D.C.C. Ch.48-01.2: \(See section 48-01.2-08: Officers must not be interested in contract.\)](#)

[N.D.C.C. Ch. 44-04: \(See section 44-04-09: Nepotism.\)](#)

HISTORY: New July 1990

Amended November 1996

Amended June 2000

Amended October 2001

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Amended December 2002

Housekeeping August 2009

Amended March, 25, 2011

Housekeeping June 24, 2011

Housekeeping August 18, 2011

Housekeeping February 1, 2012

Housekeeping November 19, 2012

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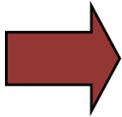
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Attachment 8

Policy 168 Version ~~12~~ 0940925134

Policy Change Cover Sheet

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



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

SECTION: Policy 168 Reasonable Accommodation on the Basis of Disability - Guidelines for Employee Requests

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes No
 - Describe change: The major changes to Policy 168 is that all formal and informal employee-requests for reasonable accommodations must be submitted to one area on campus, Human Resources/Payroll and an appeal process is outlined creating an Accommodation Review Board to review any appeal to the accommodation decision and make a recommendation to the NDSU ADA Coordinator whose decision will be final. Revised Section 2.1: Per ADA we cannot require requests for accommodation to be in writing.
2. This policy was originated by (individual, office or committee/organization):
 - Submitted by: Office of Equity, Diversity and Global Outreach/Vice President Evie Myers (on behalf of and working with the FORWARD Task Force on Women Faculty with Disabilities); Chris Wilson, General Counsel's office
 - Date submitted: 9/10/2013; 3/26/14
 - Email address of the person who should be contacted with revisions: Lois.Christianson@nds.edu; christopher.s.wilson@nds.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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

SOURCE: NDSU President

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

2. APPLICANTS for employment:

2.1 Applicants for employment who have a disability may request reasonable accommodation at any time during the application process. Requests for accommodation ~~may be made orally to the hiring department or shall be made to~~ the Office of Human Resources/Payroll. ~~Requests will be addressed in a timely fashion.~~ Applicants will be ~~asked~~ required ~~asked~~ to confirm their request in writing, ~~but provided, however,~~ the arrangements for accommodation may be initiated prior to ~~will not depend on~~ receipt of the written request.

3. EMPLOYEES:

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

3.2 Process for addressing requests for accommodation.

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

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

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~~on the NDSU forms page or by request from the Office of Human Resources/Payroll. As soon as possible after the employee's notification of the need for accommodation to the supervisor, the employee and supervisor should engage in a discussion to clarify what the employee needs and identify appropriate reasonable accommodation.~~

~~3.2.1. The University will attempt to provide the accommodation in the form requested by the employee but may provide an alternative so long as it is effective in removing the workplace barrier(s) that impedes the employee with the disability. The employee may refuse an alternative reasonable accommodation but such refusal may mean the individual no longer is qualified for the job.~~

~~3.3 Documentation of disability and need for accommodation requirements. Within one week of the verbal notification, an employee will be expected to confirm the request in writing to the supervisor (a form is available on the WEB at <http://www.ndsu.edu/forms/#equity5> [see Forms section] or from the Office of Human Resources/Payroll). Unless both the disability and the need for accommodation are obvious, the employee will be asked to provide relevant, written documentation of a disability. Documentation should be from an appropriately certified or licensed health care or rehabilitation professional and must specify the existence of a Section 504/ADA disability and explain the need for reasonable accommodation.~~

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

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

~~This documentation should be provided on the form available at <http://www.ndsu.edu/forms/#equity5> [see Forms section] or from the Office of Human Resources/Payroll.~~

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

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

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

4 ~~The determination of a reasonable accommodation shall be an interactive process involving the employee, Office of Human Resources/Payroll and relevant administrative personnel. The University may provide an alternative to the requested accommodation so long as it is effective in removing the workplace barrier(s) that impede(s) the employee with the disability. The employee may refuse an alternative reasonable accommodation, but such refusal may mean the individual may not be able to perform the essential functions of the job, which may require a fitness for duty evaluation under NDSU no longer is qualified for the job. (See Policy 161: Fitness for Duty.)~~

~~54.1~~ An applicant or an employee with a disability, as defined by law, who is dissatisfied with the response to his/her request for reasonable accommodation and wishes to ~~take formal action~~ may file a grievance using NDSU Policy 156—Equal Opportunity Grievance Procedures. ~~appeal, may do so in writing to the Office of Human Resources/Payroll within 5ten working days of the response.~~

~~4.21~~ An Accommodation Review Board (ARB) will be assembled to review the ~~appeal to the response. Following their review, they will make a recommendation to the NDSU ADA Coordinator. The final decision will be made by the NDSU ADA Coordinator and communicated to the employee and Human Resources in writing within ten working days of the receipt of the ARB's recommendation.~~

~~4.31.1~~ Members of the ARB shall include:

~~Director of Human Resources/Payroll or Designee~~

~~University General Counsel or Representative Designee~~

~~Director of (Student) Disability Services or Designee~~

~~Equal Opportunity Specialist, Equity, Diversity & Global Outreach or Designee~~

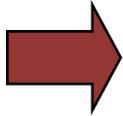
~~Vice Provost for Advancement of Faculty or Designee~~

HISTORY: New October 13, 1999

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Policy Change Cover Sheet

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



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

SECTION: **232 Pre-Action Review**

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes No
 - Describe change: *Remove Policy 232 altogether as we will incorporate it into Policy 220. Both policies come from NDUS policy 25, so combining the two will make the process less confusing for staff.*
2. This policy change was originated by (individual, office or committee/organization):
 - *HR/Payroll with Office of General Counsel*
 - *Brittnee.steckler@ndsuh.edu*

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 04/25/14

Faculty Senate: 04/25/14

Staff Senate: 04/25/14

Student Government: 04/25/14

President's Council: 04/25/14

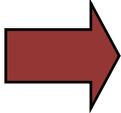
The formatting of this policy will be updated on the website once the content has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsuhpolicy.manual@ndsuh.edu. All suggestions will be considered, however due to policy format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

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Policy 601 Version 1 03/11/14

Policy Change Cover Sheet

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



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

SECTION: 601 Rights & Responsibilities of Community: A Code of Student Behavior

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

- Is this a federal or state mandated change? Yes No
- Changed "behavior" to "conduct" throughout
- Reorganized the document to be more user friendly and eliminate lengthy numbering system
- Edited to resonate with a student audience as opposed to defense attorneys
- Incorporated information about Title IX compliance and other campus policy updates
- Removed "mace and pepper spray" from the weapons section

Please review for content and organization. Please ignore font sizes and styles throughout. These, as well as minor formatting issues will be addressed when we process through Publication Services.

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

- Dean of Student Life Office
- Janna.Stoskopf@nds.edu

This portion will be completed by Melissa Lamp.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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North Dakota State University Rights and Responsibilities of Community: A Code of Student ~~Behavior~~Conduct August ~~2011~~2014

I. Introduction

~~Higher education plays a vital role in educating future leaders by providing students with educational opportunities inside and outside the classroom. The more time and energy students invest in educationally purposeful activities, the more they gain from their education. Learning is as much a social activity as a solitary endeavor.~~

To ensure I.1 General NDSU Values

NDSU students have an opportunity to gain the most from their education; ~~when they are encouraged to participate as committed citizens of the community by acting in a civil and responsible manner, accepting responsibility for actions and serving as a positive role model for others. Citizenship includes knowing and following local, state and federal laws, and the university's Code of Student Behavior. E~~ every member of the NDSU student ~~has the~~takes responsibility to observe and help maintain a code of personal behavior-conduct that contributes to the educational effectiveness of the university. The Code of Student ~~Behavior-Conduct identifies-is derived from three~~ core values important to that support an educationally purposeful environment; ~~These values are~~

- Respect for the NDSU Community, and
- Respect for the Protection and Rights of Others-and
- Respect for individuals in the Conduct Resolution Process.

~~Our goal withwith the intent of~~ this code is to foster educational ~~and~~ developmental of personal accountability and commitment to the community, as we work with students.

Respect for the NDSU Community

All NDSU stakeholders have a responsibility to respect the NDSU community. It is vital for all individuals to conduct themselves in a manner that does not negatively affect the educational mission of the university or the welfare of themselves or others. This includes promoting an environment conducive to learning and nurturing a sense of shared and mutual community responsibility. Community responsibility also involves awareness of how personal decisions affect others.

Respect for the Protection and Rights of Others

A community respecting the protection and rights of others is necessary to provide a positive and enriching educational environment. Behaviors Conduct that inhibits the educational process are is of concern, whether they-it occurs on or off university premises.

Participation in~~Respect for Individuals in the~~ Conflict Conduct Resolution Process

All NDSU students have identified within the Code of Student Conduct and as afforded by due process. The university will work with students in an educational and fair manner to assist them in reflecting upon and growing from their personal experiences.

~~The university's goal is to work with students in an educational and developmental manner, and to assist them to reflect on and grow from their personal experiences. For this reason, other persons may not participate in the conflict resolution process; however, a person may be present as an adviser for the student.~~

1.2 General Complaint Procedures

~~The Vice President for Student Affairs Office has established a procedure for s~~Students to may file complaints regarding student report concerns, or other issues, and complaints procedure available at www.ndsu.edu/fileadmin/vpsa.ndsu.edu/ProblemsProcedure1.pdf. The procedure is designed to provide for orderly collection of information, to address students' complaints in a timely manner by appropriate university personnel, and to help students learn effective conflict resolution skills. ~~Complaints regarding student behaviors covered in this code will be resolved according to procedures described in this document.~~ Complaints regarding non students or student organization constitutional/procedural issues may be resolved by other means, including, but not limited to, student court, organizational standards boards, mediation, and honor commissions.

~~To assist students in stating the problem and desired resolution, a form is available in the Vice President for Student Affairs Office, Old Main 100, the~~

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~~Dean of Student Life Office, Memorial Union 250, or online at www.ndsu.edu/fileadmin/vpsa.ndsu.edu/ProblemsProcedure1.pdf.~~

Students also may arrange a meeting with ~~the associate director of student rights and responsibilities~~ a staff member in the Dean of Student Life Office, Memorial Union 250, ~~any time during the process~~ for advice and direction in resolving the problem. Complaints regarding student behaviors covered in this code will be resolved according to procedures described in this document.

1.3 Preamble Code Authority

The president of NDSU is charged with the responsibility for development and administration of institutional policies and rules governing the role of students and their ~~behavior~~ conduct. The president also has the responsibility of establishing guidelines for students ~~behavior~~ that set forth behavioral-conduct standards and provide for appropriate procedures and sanctions for violation of those standards, consistent with procedural fairness (North Dakota State Board of Higher Education Policy Manual, 305.1). The president has delegated student ~~behavior-conduct~~ responsibilities to the vice president for student affairs, ~~while retaining the role as final arbiter in selected cases~~. The vice president has assigned the dean of student life to carry out these functions.

A Code of Student ~~Behavior-Conduct~~ contains statements of university policies relevant to student life. Development and enforcement of these standards of ~~behavior~~ conduct are an educational endeavor designed to foster students' personal, social and ethical development. This document forms the basis for student behavioral-conduct expectations as a member of the NDSU community. The enforcement of these standards serves to promote the protection of the rights, responsibilities, and health and safety of members of the NDSU community, ~~so its members may pursue their educational goals without undue interference and the personal growth of students in conflict with the code.~~

The ~~Dean-dean of Student-student Life-life Office~~ developed the content of this code with input from a committee of individuals that included various members of the Division of Student Affairs and student, faculty and staff representatives, in consultation with the vice president for student affairs and the ~~Office-of~~ general counsel.

Contents of the code may be subject to change prior to the reprinting of this document. If changes are made, documents relating to the changes will be available from the Vice President for Student Affairs Office or the Dean of Student Life Office, printed in the Spectrum or other appropriate university publications, and/or communicated to students through official university electronic media. These changes will be included in future code revisions. An attempt also has been made to reference local, state or federal laws that complement university policies.

Questions should be referred to the Dean of Student Life Office, 250 Memorial Union.

2. General Behavior Code II. Community Expectations

2.1 General Student Responsibilities

~~Every NDSU student has the responsibility to observe and help maintain a code of personal behavior and social relationships, at all times, on and off campus, that will positively contribute to the educational effectiveness of the university and the student's own personal growth. To this end, a~~ All students are expected to observe the university standards published in this code and those outlined in any other university policies, procedures, contracts or license contracts published elsewhere. In addition, students are expected to observe the laws of the community, the state, the nation and relevant jurisdictions when touring and/or studying abroad.

2.2 Persons Covered Under This Code

For the purpose of this document, "student" is defined as any individual who has been admitted to the university, was previously enrolled in the university, ~~and/or~~ uses university resources for purposes related to the university's educational mission, including, but not limited to, performing research and taking classes. Visitors attending an on-campus event also may be covered under this code. Students no longer enrolled in the university may be held accountable under this code for those ~~offenses-violations~~ committed after they were admitted and before they left the university. Student organizations are held to the same behavioral-conduct standards that apply to individual students.

2.3 On-Campus Living Requirement

~~All first-year students are required to live on campus. For more information, contact the Department of Residence Life.~~

2.4-3 Official University Communication

~~To facilitate correspondence between the student and the university,~~ NDSU will first use the student's email address as provided by the university. This address is considered the official form of communication for all purposes (see NDSU Policy 609). ~~If correspondence is unsuccessful, NDSU will attempt to use alternate email addresses in university records, and as a last resort, will use local and other U.S. mail addresses on file with NDSU.~~ It is the student's responsibility to maintain the accuracy of all personal data. ~~Failure to receive important university communications due to out-of-date personal information will not relieve the student of any university obligations. It is required that students continue to monitor the university provided email account at all times and it is recommended that students forward U.S. mail during extended university breaks.~~

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2.54 ~~Personal Inappropriate Behavior~~ Prohibited Conduct – Not on University Property

~~General Information.~~The university may discipline a student for acts of ~~personal inappropriate behavior~~ prohibited conduct committed outside of university property, ~~if the acts:~~

- ~~a) Occur during the course of or in conjunction with university activities that are being conducted off the university campus;~~
- ~~b) Relate to the safety and security of the university community and its members, integrity of the educational process, or interests of the university; or~~
- ~~c) Relate to previous conflicts between the student and university behavioral standards.~~

~~For example, the university routinely processes police reports provided to the university when the subject of such reports involves illegal or abusive use of alcohol and/or other drugs, loud/noisy party disturbances, violence or other serious crimes. When law enforcement and other agencies furnish reports such activities to NDSU that involve students, the university may pursue charges under this code against all NDSU students identified on such reports. Off campus conduct addressed may include, but is not limited to the following: illegal or abusive use of alcohol and/or other drugs, loud/noisy party disturbances, assault and/or acts of violence, sexual misconduct, deception and/or misrepresentation, property violations, harassment, and hazing.~~

~~Other off campus behaviors addressed may include, but are not limited to, the following: altering academic transcripts; assault; arson; battery; drug trafficking; forgery; fraud; harassment as defined in this code; hazing; rape; sexual assault and/or sexual misconduct; trafficking in term papers; unauthorized use of a computer off campus to obtain access to information on campus; possession or consumption of an alcoholic beverage by any student who has not reached 21 years of age; furnishing false identification or otherwise making a false representation about one's age for the purpose of buying, receiving or otherwise obtaining alcoholic beverages; and selling, giving away or otherwise distributing an alcoholic beverage to any student who has not reached 21 years of age.~~

2.5 Tri-College Policies

NDSU students who are charged with a violation of institutional policy at Concordia College or Minnesota State University Moorhead will be referred to NDSU and may be subject to action under this code.

2.6 NDSU Student Employees

~~When students commit acts that potentially violate this code while in their capacities as student employees of NDSU, the university reserves the right to review those potential conflicts when provided sufficient information to proceed with action under this code. When viewed as appropriate, NDSU may pursue resolution of those conflicts under this code in addition to any other personnel actions that may be taken against the students as employees.~~

2.7 Inappropriate Behavior by Student Athletes

~~Because of their relationship with the university, student athletes are responsible for observing the content of this code as well as the Student Athlete Code of Conduct and their specific team rules. For this reason, student athletes may face hearings under both codes with different findings and/or sanctions imposed. If civil and/or criminal charges are pending, the student athlete may answer separately to three different jurisdictions for the same set of circumstances. The university may proceed before, during or after the proceedings of the other two jurisdictions. Because the university's and the athletic department's procedures are educational and not criminal in nature, such separate procedures do not constitute double/triple jeopardy.~~

2.8 Inappropriate Behavior by Other Student Leaders

~~Because of their relationship with the university and roles within student organizations, student leaders are held to a higher level of personal accountability than other students. Each organization is responsible for reporting to the Student Activities Office those office holders who are considered organizational executives. These leaders may be held accountable under the code both in their leadership capacity and their individual capacity as NDSU students. If legal charges are pending, student leaders also may answer to civil and/or criminal courts for the same set of circumstances. Because the university's procedures are educational (administrative) and not criminal in nature, such separate proceedings do not constitute double/triple jeopardy. The university may proceed before, during or after legal proceedings, and does not typically wait for a court finding.~~

2.9 Inappropriate Behavior by Students in Specialized/Professional Programs

~~Some NDSU academic programs have established professional standards of behavior in addition to those required of all other students. Students in such programs that have established higher behavioral standards will be held accountable under the Code of Student Behavior, and at the same time, may face additional behavioral action related to their respective academic programs. As noted in 2.8, for the same reasons, these educational proceedings do not constitute double/triple jeopardy, even when criminal or civil actions may be pending from the same set of circumstances. The university may proceed before, during or after legal proceedings, and does not typically wait for a court finding.~~

2.10 Unlawful Behavior by Students

~~When students commit acts that are also violations of community, state or federal laws, on or off campus, those students will be subject to the same civil and/or criminal penalties as any other citizen in addition to campus resolution. Campus resolution of such acts may proceed before, during or after the civil or criminal proceedings have concluded. Because the university uses a lower standard of proof in code proceedings than used in criminal courts, differing judgments may result. In upholding university~~

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~~conduct standards, university conclusions also may vary from those resulting in civil courts over the same fact patterns. Since campus actions are educational and take the university's interests into account, such simultaneous actions do not constitute double jeopardy.~~

~~2.6 Multiple Accountabilities~~

~~Because of the varying roles/relationships/responsibilities students may have within and outside of the university, a student may be held accountable for prohibited conduct under other university, local, state or federal policies/laws/jurisdictions, including relevant jurisdictions when touring and/or studying abroad. Examples of other areas of accountability may include:~~

- ~~• Student athletes under the Student Athletic Code~~
- ~~• Student leaders within student organizations~~
- ~~• Personnel actions with student employees~~
- ~~• Academic actions under academic programs' professional standards~~
- ~~• Criminal charges or civil suits~~

~~Actions under this code are educational (administrative) as well as other actions taken under NDSU policies. Because the university's procedures are educational and not criminal in nature, such separate proceedings do not constitute double/triple jeopardy. The university may proceed under this code before, during or after the other NDSU administrative processes, or legal proceedings, and does not typically wait for a court finding. Findings under this code may differ from judgments in criminal courts as the university uses a lower standard.~~

~~2.7 Financial Responsibility~~

~~2.11-8 Attempts~~

~~Individuals who attempt to commit acts prohibited by the standards of this Code of Student Behavior-Conduct may be charged, found responsible and sanctioned to the same extent as if they had committed the prohibited acts.~~

~~2.12-9 Bias-Motivated Violations~~

~~Any code violation that is determined to have been motivated by hate based on age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran may result in enhanced sanctions above those typically assigned for the same violations when not motivated by hate. North Dakota State University does not discriminate on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran. Direct inquiries to ~~the Vice President for~~ Equity, Diversity and Global Outreach, 205 Old Main, (701) 231-7708.~~

~~2.13-10 Repeated Code Violations~~

~~Repeated violations of this code are relevant in determining a student's continued membership in the university community. Progressively more severe sanctions, including suspension or expulsion from the university, may be assigned, depending on the nature of the violation(s).~~

~~2.14-11 Designees~~

~~Administrators identified in this document may designate one or more individuals to act on their behalf.~~

~~2.15 Final Code Authority~~

~~Behaviors-Conduct described in this code are-is illustrative rather than exhaustive. In the event there arises some ambiguity, inconsistency or need for clarification of these statements, such as definition, interpretation or clarification will be determined at the discretion of the dean of student life, from whom any student, staff or faculty member may request written clarification. Final authority for interpretation of this code lies with the vice president for student affairs.~~

~~3. Behavior III. Prohibited Conduct Expectations and Responsibilities~~

~~The following sections outline forms of behavior that are inappropriate in a university community and have been organized into two groups: Respect for the NDSU Community and Respect for the Protection and Rights of Others. Inappropriate behaviors outlined here are not intended to be exhaustive. Instead, they are intended to assist students to avoid conflicts with university policies and other members of the university community. Students will find that following these policies will protect the rights and freedoms of everyone in the university community.~~

~~4. Respect for the NDSU Community~~

~~This section communicates the importance of conducting oneself in a manner that supports the educational mission of the university and does not adversely affect the rights and welfare of oneself and others. Respect for the NDSU community includes promoting an environment conducive to learning and nurturing a sense of shared community responsibility.~~

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~~4.1~~ **3.1 Violations of Law**

The university reserves the right to address any ~~behaviors~~conduct occurring on or off campus that may be construed as potential or alleged violations of local, state or federal laws.

~~4.2~~ **3.2 Complicity in Prohibited Acts**

~~There are two types of complicity. The first is knowingly, recklessly or willfully encouraging or assisting others to commit acts prohibited by this code. The second type is, when in the presence of a potential code violation, students fail to do one or more of the following:~~

~~Complicity is association with and/or participation in an act prohibited by this code. To avoid being complicit to code violations, students are expected to do one or more of the following:~~

- a) Personally confront those involved and stop the violation, except in cases of violence;
- b) Bring the violation to the awareness of a staff member; or
- c) Leave the scene of the violation, if not responsible for the space in which the violation is occurring.

Complicit students may be sanctioned to the same extent as if they had committed the prohibited act. Students are accountable for their guests' behavior and may be sanctioned under this provision as if they had committed the violations themselves.

~~4.3~~ **Alcohol/Drug Use**

~~NDSU maintains an alcohol/drug free campus, subject to minor exceptions noted below. Section 155 of the NDSU Policy Manual: Alcohol and Other Drugs applies to students, campus organizations and employees, regardless of the individual's age. (see Section 155: Unlawful and Unauthorized Use by Students and Employees at www.ndsu.edu/policy/155.htm).~~

~~4.3.1~~ **3.3 Alcohol on NDSU Property**

~~Regardless of a person's age, the manufacture, sale, transfer, purchase, transportation, possession, use or consumption of an alcoholic beverage and/or possession or display of empty alcohol beverage containers anywhere on NDSU owned or controlled property and/or sponsored events is prohibited except as authorized by NDSU Policy 155, Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees (including university vehicles, regardless of location), are all prohibited. Exceptions may include lawful possession of alcohol in on-campus professional staff residences, fraternity houses (in certain circumstances), president's residence and other special exceptions as granted in writing by the president. Special exceptions must be educational in nature and comply with requirements outlined in section 4.3.8 of this document.~~

~~3.4~~ **Off Campus Alcohol**

~~3.5~~ **Drugs Other Than Alcohol**

~~4.3.2~~ **3.6 Behaviors—Conduct While Under the Influence of Alcohol or Other Drugs**

Being under the influence of alcohol or other drugs is a violation of this code ~~while a person is on university owned or controlled property, or at an NDSU sponsored or supervised function, and~~when the person

- a) Endangers, or may endanger, the safety of others, property or themselves; or
- b) Causes a disturbance.

~~4.3.3~~ **Minors in Possession/Consumption/Under the Influence of Alcohol While on Campus**

~~As students under the age of 21, being under the influence of, possessing, manufacturing, exchanging, distributing, purchasing, using or selling alcohol on NDSU owned or controlled property, or at NDSU sponsored or supervised events, is prohibited.~~

~~4.3.4~~ **Driving While Under the Influence of Alcohol or Other Drugs**

~~Driving while under the influence of alcohol or other drugs, regardless of location, is prohibited.~~

~~4.3.5~~ **Possession of Alcohol Beverage Container**

~~Possession or display of empty alcohol beverage containers, including but not limited to cans, bottles and kegs, on the NDSU campus, including those held by unauthorized individuals for the purpose of recycling, is prohibited.~~

~~4.3.6~~ **3.7 Alcohol at Student Organization Events**

Recognized NDSU student organizations planning off campus events at ~~which~~—a venue where alcohol may be ~~available (within the premises where the event takes place)~~present must complete and ~~file submit with the Student Activities Office, Memorial Union 120,~~ an Event Risk Management Planning Notification Form, ~~available and a guest list to~~in the Student Activities Office, ~~Memorial Union 120 and online at www.ndsu.edu/mu/about_mu/forms.~~ Events involving alcohol must be closed events, intended only for organization membership and invited guests, and alcohol must be sold ~~and~~ served by a licensed third party vendor. ~~Policies for event planning include:~~

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~~4.3.6.1 Events/Parties at which Alcohol May be Present~~

~~Open events/parties, at which alcohol may be present, are prohibited by the university. Open events/parties are defined as those with unrestricted access by nonmembers of the organization.~~

~~4.3.6.2~~

~~Closed events/parties, at which alcohol may be present, are defined as those requiring restricted access by members of the organization and identified guests. These events/parties require guest lists that must be submitted to the Student Activities Office, Memorial Union 120, during normal business hours at least 24 hours prior to the event.~~

~~4.3.6. Use of Student Organization or Public Funds~~

~~Student organization or public funds may not be used for the purchase of alcoholic beverages .~~

~~4.3.6. Sale of Alcoholic Beverages~~

~~Sale of alcoholic beverages by students and student organizations is ~~strictly forbidden~~prohibited. This includes any action that can be remotely construed as an alcohol sale, such as charging admission to parties, passing the hat, selling empty cups and selling drink tickets. Alcohol, if available sales may must be ~~conducted~~sold and served only by licensed third party vendors, ~~and made available only in individual serving containers.~~~~

~~4.3.6. Common Sources of Alcohol~~

~~Common sources or a bulk quantity of alcohol, such as ~~party balls~~cases or kegs, are not permitted at any student organization sponsored event.~~

~~4.3.6.6 Activities and Promotions~~

~~No activities or promotions shall encourage excessive and/or rapid consumption of alcoholic beverages. This includes contests, drinking games and discounts or special pricing of alcoholic beverages. Use of alcohol at ~~any such~~ events is expected to be lawful and responsible.~~

~~4.3.6.7 Alcoholic Beverages as Prizes~~

~~Alcoholic beverages (~~such as kegs or cases of beer~~) may not be used as awards or prizes in connection with events or activities. Prize coupons and/or gift cards ~~used~~ fordonated by establishments with a liquor license must include the statement, "Not valid for purchase of alcohol."~~

~~4.3.7.3.8 Advertising Related to Alcohol~~

~~Alcohol promotional activities, including advertising, shall not be associated with otherwise existing campus events, programs or campus organizational functions on or off campus. This includes, ~~but is not limited to, such items as cups, frisbees, T-shirts, backpacks, beverage can/bottle coolers and any other items carrying alcohol/beer~~ advertising novelty items, giveaways, and apparel associated with the event. Advertising of establishments that sell alcohol ~~may appear and~~ must adhere to the following guidelines:~~

- ~~• 4.3.7.1 Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse or promote alcohol specials such as two for ones, happy hour drink specials or any ads that encourage rapid and extensive consumption of alcohol.~~
- ~~• 4.3.7.2 Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.~~
- ~~• 4.3.7.3 Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with performance of tasks that require skilled reactions such as operation of motor vehicles or athletic performance.~~
- ~~• 4.3.7.4 Advertising of establishments that sell alcohol shall include a statement of low-risk such as "know when to say when" or "please use our products legally and in a responsible manner."~~

~~For additional policy details, consult Section 155, ~~the~~ Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees, and the Event Risk Management guidelines ~~and the Greek Life Initiatives and Action Plan (policies are, which is~~ available in the Student Activities Office, Memorial Union 120, and online at www.ndsu.edu/MU).~~

~~4.3.8 Exceptions to Alcohol/Drug Use~~

~~Full or empty alcohol containers and/or drugs may be used in educational programs with educational purposes when officially requested by and conducted under the direction of university administrators with prior written approval from the president. Exceptions may be made as expressly permitted by law or as required for scientific research or teaching under the direction of faculty supervision. Programs that serve as fundraisers or at which admission is charged will not be eligible for exceptions to the alcohol policies.~~

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4.3.9.9 Good Samaritan Responsibilities

4.3.9.1 Student Hosts

~~Student hosts have the responsibility to ensure the well being of their guests wherever events occur. If a guest needs emergency medical attention, student hosts are required to call an ambulance or other appropriate emergency personnel (ambulance, police, fire, etc.) to gain that assistance. Student hosts who fail to carry out this responsibility may be subject to serious university sanctions and may be potentially subject to additional civil and/or criminal liability.~~

~~Student hosts who act properly and seek medical attention or police assistance will experience appropriate leniency in university sanctioning related to the event in which the medical emergency arose.~~

4.3.9.2 Students

All students are expected to protect the well being of fellow students and others wherever events occur. If a person needs emergency medical attention resulting from the use of alcohol or other drugs, students are expected to call an ambulance or other appropriate emergency response personnel (ambulance, police, fire, etc.) to gain that assistance. Students who fail to respond appropriately may be subject to serious university sanctions and may potentially be subject to additional civil and/or criminal liability.

~~Students who appropriately report act properly and seek medical attention or police assistance will not be subject to the Student Conduct process, nor will the incident become part of the student's conduct record. experience appropriate leniency in university sanctioning related to the event in which the medical emergency arose. However, all students [including the student(s) needing assistance and reporter(s)] may be required to have an educational meeting with university personnel. This protection may not apply if other conduct violations occurred with the same incident. This protection will apply only once in a two year period. Subsequent incidents will not be eligible for protection under this policy.~~

4.3.10 ~~3.5~~ Drugs Other Than Alcohol

~~Drugs other than alcohol may include, but are not limited to, marijuana, K2, hashish, hash oil, cocaine, crack, Khat, LSD, inhalants, salvia divinorum, stimulants, depressants, hallucinogens, narcotics, designer drugs, anabolic steroids and other substances that alter one's mental state.~~

4.3.10.1 Possession, Consumption, Being Under the Influence of Drugs Other than Alcohol

Possession, consumption, and being under the influence, or transport of illegal drugs or any other controlled substances than alcohol are is prohibited, except pursuant to a physician's, dentist's or other authorized medical personnel's prescriptions. The

4.3.10.2 Transport, Manufacture, Exchange, Distribution, Purchase, Use, Sale of Illegal Drugs

~~Transport, manufacture, exchange, distribution, purchase, use, or sale of illegal drugs or any other controlled substances is prohibited, except pursuant to a physician's, dentist's or other authorized personnel's prescriptions.~~

4.3.11 Possession of Drug Paraphernalia ~~The~~

~~P~~ossession of drug paraphernalia for illegal drug use is prohibited as well.

4.3.12 Off Campus Alcohol and/or Other Drugs

Students may face campus charges for alcohol and/or drug-related behaviors—incidents occurring off campus. Such incidents include, but are not limited to: reports generally come to the university in the form of a summons to court and/or police reports for—loud party, noisy party/gathering—, minor in possession/minor consumption/minor under the influence of alcohol, failure to disperse (from a loud party), consuming alcohol in public, driving under the influence of alcohol or other drugs, urinating in public, or other similar violations of law and public consumption of alcohol. Covered in this section are any other alcohol and/or other drug violations of law reported to NDSU by any law enforcement or other agencies.

4.3.13 Noisy (Loud) Parties/Public Disturbances

~~Students may face campus charges for participation in or hosting of noisy or loud parties or other public disturbances on or off campus. Loud parties consist of two or more individuals whose behaviors lead to noise complaints.~~

4.3.14.10 Smoking

Smoking, including the use of electronic cigarettes, is prohibited on the North Dakota State University grounds and in university buildings, residence halls, apartments and enclosed structures. (www.ndsu.edu/policy/153.pdf#tm)

4.3.11 Animals

Privately owned animals are prohibited in campus buildings, with the exception of fish. ~~Outdoors~~Animales in outdoor areas, animals must be on a leash, must be under control of the owners or their designees at all times and should not be left unattended. Owners are responsible for any health or safety issues that may arise concerning the presence of these animals on university properties and at NDSU sponsored or supervised events. Questions may be directed to the facilities management director, Thorson

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Maintenance Center, [231-7911](#).

4.4.1 Service Animals

~~Service animals that assist persons for individuals with disabilities are welcomed as provided under federal law allowed in campus buildings, supporting access to the university environment. "Service Animals," as are defined by the Americans with Disabilities Act (ADA) at <http://www.ada.gov/>. To qualify for a service animal, an individual must: 1) have a disability as defined by the ADA, and 2) be accompanied by the animal who is, means a guide dog, signal dog or other animal individually trained to provide assistance to an individual with a disability. Service animals perform some of the functions and do specific tasks or work for the individual with a disability. cannot perform for him/herself in activities of normal living. Service animals must be on a leash, must be under control of the owners' or their designees at all times, and should not be left unattended. Owners are responsible for any health or safety issues that may arise concerning the presence of these animals on university properties and at NDSU sponsored or supervised events. Students with a disability who regularly utilize a service animal are required to register with If the work of the animal is not readily identifiable, NDSU may make the following inquiries regarding service animals: Is the animal required because of a disability? What work or tasks is the animal trained to perform? For further information regarding service animals, contact the director of the Disability Services services Office, and, if necessary, to establish that an animal meets the service animal definition above, and to provide documentation of the disability within a reasonable period of time.~~

~~Service animals may not reside in university housing without expressed approval from Residence Life. Such requests will be processed as follows: A requesting individual should provide appropriate documentation to the Disability Services Office at least 60 days before housing is needed for the service animal. The Disability Services Office staff will review the documentation and arrange for conversations between the assistant director for residence life operations, person making the request and a disability services staff person to facilitate the accommodation. See University Policy 100.2 for further information about service animals.~~

4.5.2.7 Bad Debts/Financial Responsibility

4.5.1 Payment

~~All students must pay in full any debts to NDSU, including, but not limited to, tuition/fees, room/apartment and meal plan charges, long distance telephone bills and library fines. Any failure to meet these obligations may result in a denial of registration, denial of occupancy and/or continued occupancy of any university residence life accommodation, refusal to release a diploma upon graduation, or refusal to forward an official transcript, unless the student has filed for bankruptcy or the debt has been discharged under federal bankruptcy laws. For the complete text of the NDSU Collection Policy, please consult the Customer Account Services staff or www.ndsu.edu/policy/513.htm.~~

4.5.2 Financial Aid Misuse/Abuse

~~Misusing financial aid through fraud or abuse is prohibited.~~

4.5.3 Student Organization/Individual Debt

~~NDSU bears no responsibility for financial obligations of individual students or student organizations. Any debts incurred, either on or off campus, by students or student groups will be the responsibility of the individual organization and its leadership. In the event an organization dissolves and is no longer in existence, individuals holding leadership positions at the time the debt was incurred will maintain responsibility for settling outstanding debts.~~

4.5.4 Creditors

~~NDSU will normally take no action on behalf of creditors in the case of debts incurred by students, student organizations or other student groups. NDSU officials will not use the power of the state to act as a collection agency for private debts of students.~~

4.6.3.12 Copyright

~~For more information, go to [Information Technology Services](#), www.ndsu.edu/its/intellectual-property-copyright, and [NDSU Policy 190, Employee Responsibility and Activities: Intellectual Property](#), www.Ndsu.edu/fileadmin/policy/190.pdf.~~

4.6.13.13 Intellectual Property Infringement

~~Reproduction or distribution of any copyrighted materials without authorization is prohibited. When reproducing or distributing information, users are responsible for observation of copyrights and other intellectual property rights of others and all state and federal laws, institutional and North Dakota University System (NDUS) policies. Generally, materials owned by others cannot be used without the owner's permission. Written consent from the copyright owner is normally necessary to reproduce or distribute copyrighted material. There are some exceptions, such as fair use in teaching and in research. Documentation of consent to use copyrighted materials must be kept on record and made available to institution officials upon request. NDSUUS assumes no obligation to monitor users for infringing activities, but will, when such activities are called to the appropriate official's attention, investigate to determine if there is likely infringement and take appropriate action.~~

4.6.23.14 Trademarks

~~Users also should be careful of unauthorized use of trademarks. Trademarks are words, names or symbols that serve as source identifiers of a company's or institution's products. Certain uses of such marks online, in websites, or in domain names can constitute trademark infringement. Unauthorized use of an institution's name in these situations also can constitute trademark infringement (see [NDSU Policy 700.1: Use of University Name](#): www.ndsu.edu/policy/7001.htm).~~

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4.6.33.15 Use of NDSU's Name

Use of NDSU's name without prior authorization is prohibited. For additional information and guidance, please see NDSU Policy Manual 700.1, Use of University Name.

4.6.43.16 Sale of Class Lecture Notes/Materials

Students are prohibited from transferring their class lecture notes or instructor provided materials for commercial purposes unless approved by the course instructor. In addition to copyright issues raised by such practices, commercial sales or transfers may interfere with the educational purposes of the instruction and potentially inhibit free discussion of ideas central to the academic purposes of instruction at NDSU. Note: This policy does not prevent note taking provided as part of an ADA accommodation.

3.17 Misuse of Proprietary Information

4.73.18 Computer Related Inappropriate Behavior Conduct

Please see NDSU Policy Manual Section 158: Acceptable Use of Electronic Communications Devices: www.ndsu.edu/policy/158.pdf and the State Board of Higher Education (SBHE) Policy Manual Section 1901.2, Computing Facilities: www.ndsu.edu/makers/procedures/sbha/default.asp?PID=301426&SID=6244. If additional questions remain, contact the Information Technology Services Help Desk in [IACC-Quentin Burdick Building](#) for additional guidance at <http://its.ndsu.edu>.

Following are common violations found in the two policies noted above. For a complete listing, please view both documents above.

- ~~4.7.1~~ Unauthorized use, sharing, lending or borrowing of an account ~~is prohibited~~.
- ~~4.7.2~~ Using computer services or facilities for purposes other than those for which the account was issued ~~is prohibited~~.
- ~~4.7.3~~ Using university network resources and services to play or store game programs ~~is prohibited~~.
- ~~4.7.4~~ Using the university's computer system for commercial purposes without written authorization of the Information Technology Security Officer ~~is prohibited~~.
- ~~4.7.5~~ Copying, altering or destroying the files or output of another individual without the express permission of that individual ~~are prohibited~~.
- ~~4.7.6~~ Altering system software or hardware configurations, or disrupting or interfering with the delivery or administration of computer resources ~~are prohibited~~.
- ~~4.7.7~~ Misrepresenting oneself as another individual or entity in electronic communication ~~is prohibited~~.

4.7.8 Downloading

- a) Using the university's network system to download copyright protected media including, but not limited to, books, music, movies, television programs, games and software without proof of purchase or permission ~~is prohibited~~.
- b) ~~The university establishes Exceeding university bandwidth limits for students, faculty and staff. When an individual exceeds that limit, cooperation with Information Technology Services (ITS) staff is mandatory to remedy excess use.~~

4.7.9 Sharing Without Written Permission

- ~~Using the university's network system to share Sharing or distribute copyright protected media, including but not limited to books, music, movies, television programs, games and software without written permission is prohibited.~~
- ~~4.7.10~~ Abusing or misusing the computer facilities so as to cause damage, program disturbances or harassment to other persons ~~is prohibited~~.
- ~~4.7.11~~ Using the university's network system to enter obscene material into university-owned computers or send obscene material through the Internet or any other electronic system ~~is prohibited~~.
- ~~4.7.12~~ Any other violation of university or NDUS policies governing electronic communications, as referenced above, ~~is prohibited~~.

4.8.3.19 Deception/Falsification/Misrepresentation

~~4.8.1~~ Withholding or providing false information is prohibited. This includes but is not limited to

- ~~4.8.2~~ Falsely representing an entity and/or committing or using the resources of an entity without proper authorization is prohibited.
- ~~4.8.3 False Accusations~~ Knowingly, intentionally or recklessly making false accusations of ~~inappropriate behavior prohibited conduct~~ against another

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individual;

- ~~providing~~ Providing false information or falsified evidence with the intent of harming another person; and/or
- ~~a~~ Attempting to intimidate witnesses and/or altering or destroying evidence necessary to conflict resolution are prohibited.

4.93.20 Disruption of University Business

4.9.1 Disruption or obstruction of university business, facilities and grounds, such that the function or service is materially or substantially disrupted or obstructed, is prohibited. University business includes (but is not limited to): teaching, research, administration, public service functions, meetings of university committees or boards, or any other authorized university activity or organization on or off university premises.

~~4.9.2 Obstruction of ingress or egress to any university facility, or intentional obstruction that unreasonably interferes with freedom of movement, both pedestrian and vehicular, on campus is prohibited.~~

~~4.9.3 Unauthorized entry on the performance area or spectator areas of any university event, including, but not limited to, athletic contests, exhibitions, musical or theatrical events, or any other events is prohibited.~~

4.10 Gambling

~~Illegal gambling at any time and in any form is prohibited. Internet gambling is illegal in North Dakota. Individuals may not gamble on university athletics. (Raffles or lotteries require a permit from the City of Fargo. Permit applications can be obtained from the City Auditor's Office. See Section 8.1.4.)~~

4.113.21 Failure to Comply

4.11.1 Failure to comply with the instructions or directions of all university and/or emergency personnel in the performance of their duties is prohibited. Such acts may include, but are not limited to, recklessly obstructing or delaying any university proceedings, ~~failing to cooperate with an investigation~~ providing misleading or false information during an investigation, resisting or fleeing a police officer, failing to comply with assigned university ~~behavior-conduct~~ sanctions, or engaging in verbal and/or physical abuse directed toward any university personnel.

~~4.11.2 Failure to comply with the instructions or directions of all emergency response personnel in the performance of their duties is prohibited. Such acts may include, but are not limited to, obstructing or delaying emergency response personnel, resisting or fleeing a police officer, or engaging in verbal and/or physical abuse directed toward any emergency personnel.~~

4.123.22 Identification

Students are expected to carry university identification at all times. Failure to produce ~~either~~ a university identification card ~~or a driver's license~~ upon request by any university personnel in the performance of their duties is prohibited. Guests are expected to carry valid identification.

4.133.23 Bribery

Offering, giving, receiving or soliciting anything of value to influence the official decision or action of university personnel, or a person in a position of trust or influence, is prohibited.

~~Bribing others to fulfill or otherwise attempt to evade academic responsibilities, such as homework, papers, and exams is prohibited. Students are expected to complete their own academic assignments and responsibilities including, but not limited to, the taking of exams, completion of assignments/projects, and writing papers. Bribing others to fulfill or otherwise attempt to evade these academic responsibilities is prohibited.~~

4.143.17 Misuse of Proprietary Information

Unauthorized use or misuse of proprietary information, in whatever form, is prohibited. "Proprietary" means property in which the university or its employees and/or students have a legal interest or responsibility to maintain confidentiality (see NDSU Policy 343, Confidential Proprietary Information).

4.15 Property Violations

~~Property violations are prohibited and include, but are not limited to, behaviors that would commonly constitute criminal violations, such as burglary, robbery, theft, possession of stolen property, trespassing and vandalism.~~

4.15.13.24 Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another is prohibited.

4.15.23.25 Burglary

The unlawful entry into a building or another structure with the intent to commit a felony or theft is prohibited. This includes, but is not limited to, unlawful entry with intent to commit a larceny or felony, housebreaking and safecracking. Attempts to commit the aforementioned also would constitute a violation of this policy.

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4.15.33.26 Robbery

The taking of, or attempting to take, anything of value under confrontational circumstances from the control, custody or care of a person or persons by force or threat of force or violence or by putting the victim in fear is prohibited.

4.15.43.27 Motor Vehicle Theft

The theft or attempted theft of a motor vehicle is prohibited. This includes, but is not limited to, persons having unlawful access even though the vehicle is later abandoned, such as joyriding.

4.15.5-3.28 Theft of Property

Theft or removal of property belonging to the university or another individual is prohibited. This includes, but is not limited to, furniture, artwork, plants, electronics, books, window screens and signs.

4.15.63.29 Theft of Services

Using university services to which one is not entitled is prohibited. This includes, but is not limited to, using campus laundry services intended only for campus residents, using parking services not purchased, using parking lots other than those assigned by campus personnel, and unauthorized use of university printing services.

3.30 Possession of Stolen Property

Possession of goods that one knows or that any reasonable person would realize were stolen; also, to receive, retain, conceal, or dispose of property knowing that it was stolen. If it can reasonably be demonstrated that the receiver was unknowing, the property should be returned to its owner with no action taken against the receiver.

4.15.73.31 Vandalism

The willful destruction or defacement of property belonging to the university or another individual is prohibited. This includes, but is not limited to, writing on or tearing down bulletin boards, spray painting or unauthorized chalking of buildings or sidewalks, and intentionally breaking or damaging property.

3.32 Trespassing

Entering and/or remaining in or on property to which a person does not have a legitimate right or purpose to enter or remain. Such property may include but is not limited to vehicles, apartments, houses, fenced yards, and/or other buildings or portions of buildings, such as roofs. Properties need not be specifically posted with No Trespass signs.

4.163.33 Unauthorized Sales or Solicitations

Unauthorized sales or solicitations in residence halls, university apartments, or in any other campus buildings are prohibited at any time. For questions regarding sales in the Memorial Union, see the Memorial Union director, Room 246. For questions regarding sales in residence life facilities, see the senior associate director of Residence Life, West Bison Court. For questions concerning sales in any other areas, begin the inquiry at the Dean of Student Life Office, Memorial Union, room 250.

4.173.34 Traffic Safety and Parking Enforcement

University traffic and parking regulations are ~~approved by the University—Senate upon recommendation of the Campus Space and Facilities Committee. The complete current rules are~~ published in a separate pamphlet titled "NDSU Parking Regulations" which may be obtained from the NDSU Parking Office, Thorson Maintenance Center or online at www.ndsu.edu/fileadmin/parking/docs/parking/Parking_RegulationsBrochure.pdf. Following are common violations described in the NDSU Parking Regulations brochure:

Traffic Regulations, as Governed by NDSU Police:

- **4.17.1** Improper operation of motor vehicles on campus including, but not limited to, driving on sidewalks or grass, is prohibited.
- **4.17.2** Failure to cooperate with the lawful direction of traffic enforcement personnel in the performance of their duties is prohibited.
- **4.17.3** Failure to report an accident that occurs on the NDSU campus, or involves an NDSU official vehicle, in the manner and time limit required by law or by university regulations, is prohibited.
- **4.17.4** Failure of persons in motorized vehicles or on bicycles, skateboards, roller blades and/or scooters to yield the right of way to pedestrians or abide by any traffic laws is prohibited.

Parking Regulations, as Governed by the Parking Enforcement Office:

- **4.17.5** Falsifying registration information, reproducing, defacing, forging, altering, obscuring or transferring a permit is prohibited. Retaining and using a found permit also is prohibited. Parking permit theft may be processed under this code in place of or in addition to filing of criminal charges for theft of services. Upon completion of investigations by university police and the NDSU Parking Office, sanctions and/or fines may be administered. Only the NDSU Parking Office is authorized to re-sell permits.

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4.18.3.35 Unauthorized Entry/Use of Facilities

- ~~4.18.1~~ Unauthorized entry onto the property of the university or into a university facility or any portion thereof that has been reserved, restricted in use or placed off limits; unauthorized presence in any university facility after closing hours; and unauthorized possession or use of a key/access card to any university facility are prohibited. Unauthorized activities shall include, but are not limited to, entry, use or occupancy to which students are not permitted by virtue of enrollment, employment, class schedule, and/or gender in facilities restricted by gender. University areas that are restricted include, but are not limited to, all building roofs, fire escapes, steam tunnels, elevator shafts, equipment and mechanical storage rooms and construction sites. The use of fire escapes is strictly limited to emergency purposes.
- ~~4.18.2~~ ~~Reproduction, duplication, manufacture, or possession or loaning~~ of any key/access card or unlocking device for use on university facilities, locks or other property on university premises without proper authorization are prohibited.
- ~~4.18.3~~ ~~Procuring, altering, damaging, removing, manufacturing or using any university key card, lock, password or other security device without proper authorization are prohibited.~~
- ~~4.18.4~~ ~~Refusal to vacate a university facility when directed to do so by an authorized official of the university is prohibited.~~
- ~~4.18.5~~ ~~Use of any university facility, equipment, materials or services, except for their authorized purposes, including, but not limited to, telephone, mail and computer systems, is prohibited. Only currently enrolled NDSU students and currently employed NDSU faculty and staff are authorized users.~~

5. Respect for the Protection and Rights of Others

~~The purpose of this section is to communicate the value the university places on respect for the protection and rights of others.~~

5.13.36 Intimidation

~~Behavior/Conduct~~ in any form that involves an expressed or implied threat to interfere or that has the purpose or reasonably foreseeable effect of interfering with an individual's personal safety, safety of property, academic efforts, employment or participation in university sponsored activities, and causes the person to have a reasonable apprehension that such harm is about to occur, is prohibited.

5.23.37 Physical AbuseAssault

~~Physical abuse, including the use of physical force, violence, intoxicants or other substances to restrict the freedom of action or movement of another person or to endanger the health or safety of another person, is prohibited.~~

5.3 Assault

~~Assault, an unwanted physical touching by one person upon another which does not involve the display or use of a weapon, and does not result in obvious or aggravated physical injury, is prohibited.~~

5.4 Aggravated Assault

~~Aggravated assault, an unwanted touching by one person upon another in which the offender uses a form of weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury, is prohibited.~~

~~Physical assault of another person is prohibited and includes, but is not limited to:~~

- ~~Use of physical force, violence, intoxicants or other substances to restrict the freedom of action or movement of another person, and/or endangers the health or safety of another person;~~
- ~~Unwanted physical touching by one person upon another, with or without the use/threatening display of a weapon, and regardless if obvious or aggravated bodily injury is sustained.~~

5.5.3.38 Instigation/Provocation“Fighting Words”

~~The face-to-face use of “fighting words” is prohibited. Fighting words are personally abusive epithets that, when addressed to any person, are inherently likely to provoke immediate violent reaction whether or not the reaction occurs.~~

5.6 Unauthorized Surveillance

~~Making unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy including, but not limited to, shower/locker rooms, residence hall rooms, bedrooms and restrooms, is prohibited.~~

~~5.6.1 Storing, sharing and/or other distribution of such unauthorized video and photographic images, by any means, is prohibited.~~

5.7 Harassment and 3.40 Discrimination, Harassment, and Retaliation

~~5.7.1 Harassment NDSU is committed to providing a climate that fosters respect for students, staff and faculty as well as others who participate in programs and activities~~

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~~at the university. As part of that commitment, NDSU prohibits harassment based on gender, race, color, religion, national origin, age, disability, sexual orientation, or protected activity (such as reporting alleged harassment or providing information related to a grievance). This policy is in compliance with federal civil rights laws and agency regulations and guidance implementing these laws. Harassment (based on an individual's membership in one or more of the groups identified above) is defined, for purposes of this policy, as any unwelcome behavior that has the intent or effect of unreasonably interfering with the individual's employment or academic endeavors or creating a hostile, intimidating or offensive environment.~~

~~North Dakota State University is fully committed to equal opportunity in educational programs/activities and employment decisions for all individuals. Any discriminatory (different or unequal treatment) or harassing action(s) (unwelcome behavior that has the intent or effect of unreasonably interfering with the individual's academic or employment endeavors or creating a hostile, intimidating or offensive environment) taken against another based on age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran is prohibited. Any attempt to retaliate because of one's participation in a protected act (anyone who, in good faith, alleges discrimination, harassment or sexual harassment or who provides information related to an equal opportunity grievance) is also prohibited. See NDSU Policy 100 Equal Opportunity and Non-Discrimination (www.ndsu.edu/fileadmin/policy/100.pdf) and NDSU Policy 163 Anti-Harassment (www.ndsu.edu/fileadmin/policy/163.pdf)~~

5.7.2.3.41 Sexual Harassment ([North Dakota State University Policy Manual, Section 162 www.ndsu.edu/policy/162.htm](http://www.ndsu.edu/policy/162.htm))

~~As part of its commitment to equal opportunity, NDSU prohibits sexual harassment of its employees and students, including student-to-student and other peer sexual harassment. This policy is in compliance with federal regulations implementing Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Sexual harassment is defined as: considered conduct of a sexual nature that: (1) is unwanted, improper or offensive; (2) occurs if the victim's refusal or acceptance of the behavior influences decisions concerning his/her educational programs/activities or employment; or (3) creates an~~

~~"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:~~

- ~~1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement,~~
- ~~2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual, or~~
- ~~3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive humiliating work environment for the recipient." For complete definition of sexual harassment, see NDSU Policy 162 Sexual Harassment (www.ndsu.edu/fileadmin/policy/162.pdf).~~

~~Please note that s~~Sexual harassment in electronic forms also is prohibited under NDSU Policy 710 – Computer Facilities, www.ndsu.edu/fileadmin/policy/710.pdf.

~~Individuals concerned about equal opportunity violations of this policy should request assistance from the university's vice president for equity, diversity and global outreach, university's general counsel, Counseling Center, Disability Services Office, or an appropriate administrator/office. When administrators or supervisors become aware of occurrences of sexual harassment in their areas, they are responsible for stopping the behavior or reporting it to the executive director and chief diversity officer. In addition, the university's equal opportunity grievance procedure shall be available for any person who wants/wanting to file a complaint alleging a violation of this policy: discrimination, harassment, sexual harassment or retaliation.~~

~~See related policy, "Consensual Relationships," (www.ndsu.edu/policy/162_1.pdf) Section 162.1 of the NDSU Policy Manual. Consensual relationships are defined as those romantic or sexual relationships in which both parties appear to have consented, but where there is a definite power differential within the University between the two parties. The actual or perceived imbalance of power that exists in a relationship when one of the parties in the relationship is an instructor or supervisor (including graduate assistants) and the other is a student or supervisee. Where a power differential exists, the instructor (including graduate assistants) or supervisor must report the matter, as soon as possible, to his/her immediate supervisor so appropriate steps may be taken. Accordingly, suitable arrangements will be made for the objective evaluation of the student's, employee's or prospective employee's academic or job performance and for the protection of individual and University interests. A copy of this policy may be requested from the Dean of Student Life Office, Memorial Union 250.~~

5.7.43.42 Other Prohibited Acts of Harassment

Any action or any series of actions that interferes with individuals' academic efforts, employment, personal safety or participation in university sponsored co-curricular activities is prohibited.

5.83.39 Disorderly Conduct

Disorderly conduct is behavior that intentionally or recklessly creates a risk of public inconvenience, annoyance or alarm without proper authority. These behaviors are prohibited and include, but are not limited to, fighting, engaging in violent behavior, making unreasonable noise, obstructing vehicular or pedestrian traffic, disturbing a lawful assembly, and streaking.

Students may also be charged with Disorderly Conduct for participating in or hosting noisy or loud parties or other public disturbances on or off campus. Loud parties consist of two or more individuals whose conduct leads to noise complaints.

3.43 Stalking

5.93.44 Lewd or Obscene Behavior

Lewd or obscene behavior that flagrantly flaunts community standards with respect to sexuality is prohibited. Lewd behavior includes, but is not limited to, sexual acts in

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public places, ~~public urination,~~ and exposing genitalia.

~~5.10.45~~ Sexual Assault/Sexual Misconduct/Sexual Acts and Title IX Compliance

A goal of North Dakota State University (NDSU) is to create a campus community free from interpersonal abuse including sexual assault. NDSU commits its resources to the following threefold process: 1) to provide crisis intervention for victims, 2) to provide a disciplinary response for alleged offenders, and 3) to educate and promote discussion on interpersonal abuse and violence.

~~5.10.1~~ Sexual Assault and Sexual Misconduct

- ~~a) Sexual assault or sexual misconduct, in any form, is prohibited.~~
- ~~b) Non-contact sexual misconduct, in any form is prohibited.~~
- ~~c) The abuse of alcohol or other substances does not relieve individuals of their responsibilities to themselves or others.~~

Note: Sexual harassment is addressed by Policy #162, NDSU Policy Manual.

For purpose of this policy, the following definitions apply:

1. Sexual Assault is any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:

- ~~Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;~~
- ~~Use of intoxicants to substantially impair the person's power to give consent;~~
- ~~Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact this _____ includes, but is not limited to, situations when an individual is intoxicated, "high," scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or~~
- ~~When the victim is under fifteen (15) years of age.~~

2. Sexual Misconduct occurs when a sexual act is committed without intent to harm another and when by failing to correctly assess the circumstances, a person believes unreasonably that consent was given without having met his/her responsibility to gain effective consent. Situations involving physical force, violence, threat or intimidation fall under the definition of Sexual Assault, not Sexual Misconduct, and will be treated as such under these procedures.

3. Sexual Act includes, but is not limited to:

- ~~Sexual intercourse~~
- ~~Sodomy (oral and/or anal);~~
- ~~Sexual penetration with any object,~~
- ~~Touching of a person's intimate parts (genitalia, groin, breast, buttocks, or clothing covering them); or~~
- ~~Compelling a person to touch his or her own or an _____ other person's intimate parts without consent.~~

4. Non-contact Sexual Misconduct violations include, _____ but are not limited to:

- ~~Peeping;~~
- ~~Indecent exposure, or~~
- ~~Recording or photographing individuals within premises where there is a reasonable expectation of privacy with respect to nudity and/or sexual activity, _____ without _____ the knowledge and consent of all participants subject to such recordings.~~

5. Consent means words or actions that show a voluntary agreement to engage in mutually agreed upon sexual activity. Consent is an affirmative decision given by clear actions or words. It is important to obtain explicit consent from any sexual partner, and not to make assumptions. If confusion or ambiguity on the issue of consent arises any time during the sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Consent may not be inferred from silence, passivity, or lack of active resistance alone. Furthermore, a current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual act does not imply consent to other forms of sexual activity.

North Dakota State University (NDSU) strives to create a campus community free from interpersonal abuse including sexual misconduct. In working to achieve this intent, NDSU commits to:

- a) Taking action to stop sexual misconduct;
- b) Taking action to remedy its effects by providing advocacy, support and appropriate referral services for recipients of the behavior;
- c) Taking action to prevent recurrence;
- d) Educating individuals and promoting discussions on interpersonal abuse and violence; and
- e) Conducting impartial investigation of all reports/notices of sexual misconduct through fair, equitable and prompt procedures. Investigations will be independent of and separate from law enforcement investigations of criminal activity.

This policy is required by federal law and implementation of this policy is guided by the U.S. Department of Education, Office of Civil Rights.

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a) Sexual misconduct is prohibited in all forms, regardless of intent to harm. Sexual assault, sexual exploitation, coercion and sexual harassment are examples of sexual misconduct, and all are prohibited.

b) Also prohibited under Title IX is any rule violated on the basis of the recipient of the behavior's sex/gender which is severe enough to cause a discriminatory effect. (Examples of this may include but are not limited to bullying, cyber-bullying, relationship violence, and stalking.)

For purpose of this policy, the following definitions apply:

Consent is:

a) Words or actions showing a clear, knowing and voluntary agreement to engage in mutually agreed upon sexual act; or

b) An affirmative decision given by clear actions or words.

c) Consent may not be inferred from:

- Silence, passivity, or lack of active resistance alone.
- A current or previous dating or sexual relationship.

NOTE: It is important to obtain explicit consent from any sexual partner and not to make assumptions. If confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Consent to one form of sexual act does not imply consent to other forms of sexual act(s).

Sexual Acts include, but are not limited to the following actions:

a) Sexual intercourse;

b) Sodomy (oral and/or anal);

c) Sexual penetration with any object;

d) Sexual touching of a person's intimate parts (genitalia, groin, breasts, buttocks, mouth or other bodily orifice or the clothing covering them); or

e) Compelling a person to touch his or her own or another person's intimate parts.

Sexual Assault: Any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:

a) Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;

b) Use of intoxicants to substantially impair the person's power to give consent;

c) Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact. This includes, but is not limited to, situations when an individual is intoxicated, "high", scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or

d) A victim under fifteen (15) years of age. (Do note the age of consent may vary depending on the ages of the individuals involved in the act.

Sexual Exploitation: Taking sexual advantage of another person without consent. Examples include, but are not limited to:

a) Causing the incapacitation of another in order to take sexual advantage of the person;

b) Distributing or publishing sexual information;

c) Engaging in indecent exposure;

d) Engaging in voyeurism (the viewing of another for sexual gratification);

e) Invasion of sexual privacy;

f) Knowingly exposing another to a Sexually Transmitted Infection (STI) or HIV;

g) Prostituting another person; or

h) Recording, photographing, or relaying sexual sounds or images.

Sexual Misconduct: Any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome that is sufficiently severe, persistent, or pervasive so as to limit a student's ability to participate in or benefit from an NDSU program or activity. Depending on the circumstances, a single incident of sexual misconduct may be sufficient to limit a student's ability to participate in or benefit from an NDSU program or activity.

Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. Anyone who becomes aware of a Title IX complaint or violation of this policy and has the authority to take action on the complaint or violation, shall report the complaint or violation either to the Title IX Coordinator or a Deputy Title IX Coordinator:

Vice President for Equity, Diversity and Global Outreach/Title IX Coordinator
Old Main 205
Phone: 701-231-7708

Dean of Student Life/Deputy Title IX Coordinator
Memorial Union 250
Phone: 701-231-8240

Associate Athletics Director for Compliance/Deputy Title IX Coordinator
Bison Sports Arena 102W
Phone: 701-231-5696

For complete information regarding sexual misconduct and Title IX compliance, please NDSU Policy 603 at (www.ndsu.edu/fileadmin/policy/603.pdf)

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- ~~5.11.1~~ Initiating or circulating a report or warning concerning an impending bombing, a fire, or other emergency or catastrophe knowing that the report is false, or knowingly transmitting such a false report to an official or an official agency, is prohibited.
- ~~5.11.2~~ Willful failure to comply with orders issued by any emergency personnel during any real or perceived emergency condition is prohibited. Examples include, but are not limited to, tornado, fire, fire drill, bomb threat or situations requiring shelter in place.
- ~~5.11.3~~ Tampering with any fire protection sign or device or any other emergency equipment, including, but not limited to, fire extinguishers, fire hoses, smoke/heat detectors, sprinkler systems and other alarm systems, for reasons other than an actual or perceived emergency, is prohibited.
- ~~5.11.4~~ Tampering with elevator controls, elevator shaft access, and/or other elevator equipment by acts including, but not limited to, jumping, elevator surfing, falsely sounding alarms and stopping between floors, is prohibited.
- ~~5.11.5~~ Willful failure to follow safety standards is prohibited.
- ~~5.11.6~~ Creating a risk of bodily harm or falsely creating the impression of risk of bodily harm to others is prohibited.
- ~~—~~ Knowingly focusing, pointing or shining a laser pointer at an aircraft or at a person is prohibited. A laser pointer is any device that creates a visible light used for aiming, targeting or pointing out features.

3.47 Hazing

5.11.73.48 Sporting Activity Restrictions

Riding skateboards or scooters and using in-line skates, roller skates, and bicycles are prohibited inside all university facilities. Use of water guns, water balloons and throwing of flying discs, balls or other objects also are prohibited indoors, except when authorized. Use of projectile launchers is prohibited on campus without documented permission by an appropriate university official. Launchers may include those intended for water balloons, potatoes, pumpkins and other items. For guidance, contact the director of University Police and Safety Office.

5.123.49 Weapons/Firearms/Explosives/Other Weapons

Unauthorized and/or illegal possession, display or use of firearms, explosives or other weapons ~~on university-owned or controlled property, including in personal vehicles, is prohibited, unless permission for possession and/or use has been granted by an appropriate university official.~~

- ~~5.12.1~~ Firearms and weapons include, but are not limited to, airsoft guns, BB guns, dart guns, handguns, paint ball guns, pellet guns, rifles, shotguns, stun gun or similar device designed to deliver an electric shock, daggers, knives, sabers, swords, and bows and arrows.
- ~~5.12.2~~ Explosives include, but are not limited to, bombs, explosives, fireworks and other incendiary devices. Incendiary devices are defined as any flammable liquid enclosed in a readily breakable container that can be equipped with an igniter of any type.
- ~~5.12.3~~ Other weapons include, but are not limited to, martial arts implements, dangerous fuels and chemicals, ~~such as mace or pepper spray~~. Any object may be considered a weapon when used to inflict or threaten infliction of bodily injury or property damage.

5.12.4 Projectiles

- Throwing or casting any object into, upon or against any building, structure, motor vehicle or at any person is prohibited.

This policy shall not prohibit persons or student organizations from possessing, storing or using weapons at approved locations for the purpose of meeting requirements of educational programs and/or a student group recognized by the university. For authorization, contact the director of the University Police and Safety Office.

~~5.12.5~~ The University Police and Safety Office provides limited, temporary storage space for on-campus residents ~~to store ammunition and sporting arms, such as those used for hunting and other shooting sports, on a first come, first served basis. Individuals requesting to use the space will be required to pass a background check and provide photo identification. Weapons must be cased, unloaded and transported out of plain sight by vehicle for check-in/check-out at the Auxiliary Enterprises building. Carrying of the cased weapon, with the exception of to and from the vehicle parked next to the Auxiliary Enterprises building in the AE lot, is prohibited. Weapons are not to be transported on campus.~~ Weapons should be checked in immediately upon arrival to NDSU and checked-out immediately prior to leaving the campus. An officer must be present for check-in/check-out. The University Police and Safety Office is open and available for check-in/check-out on a 24/7 basis. ~~Additional requirements are outlined on the On-Campus Resident Student Temporary Weapon/Ammunition Storage Procedure Signature Form at www.ndsu.edu/police_safety/universitypolice/Index.shtml.~~

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5.133.47 Hazing

Hazing is prohibited regardless of location, intent or consent of participants. Hazing is defined as any action or situation that intentionally or unintentionally endangers a student for admission into or affiliation with a student organization or group. Such activities and situations include, but are not limited to, paddling in any form; creating excessive fatigue; forced consumption of any substance; forced road trips; morally degrading, demeaning, unsanitary, humiliating games or stunts; and harassment, ridicule or other activities prohibited by law or university policy.

5.13.1—It is the responsibility of the organization and its leadership in conjunction with the (inter)national organization, if any, to protect potential members, members or other persons associated with the organization from any hazing activity or practice conducted, condoned, or encouraged by the current members of the organization, alumni or other associates.

~~5.13.2—The university or individuals may file a complaint of hazing with the Dean of Student Life Office. Individuals and/or groups may also be subject to criminal and/or civil liability beyond the jurisdiction of the university.~~

5.143.43 Stalking

Stalking is prohibited. ~~As used in this code, “stalk”~~**Stalking** means to engage in an intentional, unwanted course of behavior directed at a specific person or persons that is reasonably frightening, intimidating or harassing in nature that person, and that serves no legitimate purpose. The course of behavior, involving must include at least two or more acts~~separate incidents~~, may be directed toward that person or a member of that person's immediate family. “Immediate family” means a spouse, parent, child or sibling. ~~The term also includes any other individual who regularly resides in the household or who within the prior six months resided in the household.~~

~~Stalking generally causes a reasonable person to experience fear, intimidation, harassment or to be the object of unwanted attention. Stalking behaviors may~~and includes, but ~~are~~is not limited to:

- a) Approaching, following, loitering, pursuing or restraining behaviors;
- b) Repeated unwanted electronic communications using email, telephone calls, social media and text messages;
- c) Sending unwanted gifts;
- d) Trespassing and
- e) Vandalism.

An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is evidence of intention to stalk the person.

This behavior is prohibited regardless if there was no intention to frighten, intimidate or harass, and regardless if actual notice was given that a person did not want to be contacted or followed.

5.14.1—No Notice/No Intent

~~In any proceeding under this section, it is not a defense that no actual notice was given that the person did not want to be contacted or followed; nor is it a defense that there was no intention to frighten, intimidate or harass the person. An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is evidence of intention to stalk the person.~~

5.14.2—Legal Exclusions

- a) ~~Excluded are constitutionally protected behaviors. If a person claims to have been engaged in a constitutionally protected activity, the hearing officer or body shall determine the validity of the claim and, if found valid, shall exclude evidence of the activity.~~
- b) ~~In any proceeding under this code, it is a defense that a licensed private investigator or a peace officer licensed under law was acting within his/her scope of employment.~~

5.15—On-Campus Housing Security Efforts

~~All students will be held accountable for their behaviors in residence halls and university apartments. Off campus students will be referred to the Dean of Student Life Office for action. All students and their guests need to cooperate with efforts to establish a secure campus by complying with policies and cooperating with residence life staff.~~

5.15.1 Keys/Access

5.15.1.1 Keys/Access Cards

~~Students are not permitted to duplicate keys/access cards. Students also are not allowed to loan keys/access cards to other individuals. Students are expected to be responsible for their keys/access cards and security of their rooms and apartments. Students who repeatedly find themselves locked out of their rooms or apartments are subject to sanctions under this code.~~

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5.15.1.2 Escorting of Guests

Entrance doors for the residence halls and university apartment buildings are locked 24 hours a day. Guests must meet their resident-host at an entrance door to gain entry into the building. A resident must escort non-residents at all times.

Students are not allowed to prop open doors or allow unauthorized persons into on-campus housing facilities.

5.15.2 Guests and Visitation

Residents are responsible for knowing the identity of their guests and are responsible for guest behaviors. Residents are held liable for loss or damages to property caused by their guests.

5.15.3 Overnight Guests

Guests of the same sex are permitted to stay overnight with approval from residence life staff. Residents must register their overnight guests prior to the stay. Guests may not stay more than three consecutive nights. Overnight guests of the opposite sex are not permitted.

5.15.4 Quiet Hours/Noise

Residents and guests must respect quiet hours in each of the on-campus housing facilities. Specific quiet hours are posted. Courtesy hours are in effect 24 hours a day to allow students to pursue their academic studies and promote a comfortable living environment.

5.15.5 Candles and Incense

Candles and incense are not allowed in on-campus housing facilities. Open flames also are prohibited.

IV. 6. Respect for Community and Protection of the Rights of Others by Student Organizations /Activities and Affiliated University Groups

This section communicates the importance of conducting organizational business and activities in a manner that does not negatively affect the educational mission of the university and the welfare of others, or infringe upon the rights of others. Student organizations are recognized by the Student Government Executive Commission of the Congress of Student Organizations and are independent of NDSU. Because of their relationship with the university, organizations are expected to uphold and comply with university policies and the Code of Student Behavior.

6.1.1 Responsibilities of Student Organizations and Affiliated University Groups

6.1.1 A student organization or a group affiliated with the university shall be deemed responsible for acts of ~~inappropriate behavior/prohibited conduct~~ committed by individuals where such acts:

- a) Are mandated, sponsored, approved, or encouraged by the group or organization, whether explicitly or implicitly; ~~and/or~~
- b) Take place in the context of a tradition, custom or past practice of the group or organization; ~~and/or~~
- c) Are reasonably foreseeable as a result of an activity carried on by the student organization or affiliated university group.

6.1.2 Students residing in properties owned by organizations or groups affiliated with the university will be held responsible for their ~~behavior/conduct, behavior—conduct~~ of their guests and controlling access to their premises.

6.2.4.2 Student Organizations and Affiliated University Group Compliance with University Policy

Student organizations and affiliated university groups must be in compliance with university policies, procedures and regulations. Prohibited ~~behaviors—conduct~~ includes, but ~~are is~~ not limited to, misappropriation of funds, misuse of property, improper registration or misrepresentation of an organization or group, or abuse of student election regulations.

6.3.4.3 Conflict/Conduct Resolution and Enforcement Procedures for Conflicts by Student Organizations and Affiliated University Groups

For information concerning the ~~conflict/code~~ resolution procedure(s) to be utilized, refer to ~~Section 15Part V, Code of Student Behavior—Complaint Resolution Procedures and Part VI, Conduct Board Procedures.~~

6.3.1 When a student organization or an affiliated university group is charged with ~~inappropriate behavior/prohibited conduct~~, the presiding officer or individuals affiliated with the group shall be required to participate as representatives of the group in proceedings conducted under this code.

6.3.2 In some cases, organizational officers or members also may be charged with individual violations related to the original incident involving the organization, in separate proceedings.

6.3.3 Because ~~behavioral—Conduct~~ records of student organizations are not protected by the Family Educational Rights and Privacy Act (FERPA), ~~complainants are any~~

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individual is entitled to learn the results of behavioral-conduct actions taken against student organizations as long as those disclosures do not compromise the privacy of any individual student's education record. In such situations, federally protected individual names will be removed.

4.4 Recognition

7. Student Organizations/Fraternities and Sororities/Activities

Recognition requirements and procedures (for guidance, consult with staff in the Memorial Union Student Activities Office):

7.1.5 Membership

7.1.1 Membership in Student Organizations with NDSU Recognition

Membership must be limited to current students, faculty and staff of NDSU. Students who transfer to another Tri-College institution who want to retain membership in an NDSU registered student organization may be eligible for on-going membership, contingent upon approval from the dean of student life. In the case of dual college or tri college recognized student organizations, membership criteria as defined in the CSO guidelines must be met.

7.1.2 Membership in Student Organizations with Tri-College/Dual-College Recognition

Organizations that want to recruit and maintain membership of students from other Tri-College institutions must obtain Tri-College or Dual-College recognition. Membership in Tri-College organizations is open to full-time or part-time currently enrolled NDSU and Minnesota State University Moorhead (MSUM) students, full-time Concordia College students, and faculty/staff from Concordia College, MSUM or NDSU. Membership in Dual-College organizations must be consistent with membership guidelines at the respective institutions (see Tri-College/ Dual-College Organization Recognition Guidelines and Procedures: www.ndsu.edu/memorial_union/thunderbolts/).

7.1.3 Membership in Social Fraternities and Sororities

Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College/Dual-College recognition; membership is limited to students enrolled at NDSU.

7.2 Officers

Students holding elected or appointed leadership positions in recognized student organizations must meet the academic and conduct eligibility standards identified in Eligibility/Participation in Co-Curricular Activities Policy.

7.3.4 Recognition

Recognition of student organizations is granted by the Student Government Executive Commission of the Congress of Student Organizations and registered in the Student Activities Office in the Memorial Union. Although student organizations are independent organizations from NDSU, they are expected to uphold and comply with university policies, the Code of Student Behavior-Conduct, and local, state and federal laws.

7.3.1 Student organization purposes must be compatible with the educational mission and purpose of the university.

7.3.2 Students and student organizations are free to examine and express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt regular and essential operations of the university. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

7.4.6 Registration Requirements

The following information must be electronically filed with the Student Activities Office.

1-a. Organization Registration form with the following:

- a) Name of the organization;
- b) List of officers and their signatures;
- c) Name and signature of an adviser, selected from the faculty or staff, or another designee as approved by the Student Activities Office staff; and
- d) Tri-College/Dual-College Organization Registration Form (applies only to groups that want to obtain or maintain Tri-College/Dual-College recognition).

2-b. Signed agreement by local student organization officers that there will be no illegal discrimination on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation or status as a U.S. veteran, or any form of discrimination in the selection of members or officers on a local level.

3. c. Signed agreement by local student organization officer(s) that there will be no participation in any activities that could be considered hazing.

4-d. Request to check Eligibility for Participation Form.

5. Copy of the constitution. Constitutions shall be submitted for record every three years, even if no changes are made.

Students holding elected or appointed leadership positions must meet the following academic and good conduct eligibility standards:

a. Students in leadership positions must have attained and must maintain during the term of participation a minimal cumulative grade average of 2.0.

b. Students in leadership positions must be enrolled for and maintain a minimum of nine (9) semester credits during the term of participation and have successfully

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completed nine (9) credits from the most previous semester.

c. Students in leadership positions must be in good conduct standing with the Office of the Dean for Student Life.

Additional information regarding eligibility for participation in co-curricular activities can be found on the Student Life webpage at www.ndsu.edu/student_life/policies_and_forms/eligibility_for_participation_in_co_curricular_activities/.

~~7.4.1 Registration information will be renewed annually and a list of officers must be submitted to the Student Activities Office at the time of election or appointment of officers.~~

~~7.4.2 Membership, policies and actions of recognized student organizations will be determined by currently enrolled student group members.~~

7.54.7 National/International Affiliated Organizations

National/international affiliated organizations must uphold the policies and procedures of their national/international organizations in addition to university policies and procedures. University policies will supersede in the case of conflicting policies.

7.64.8 On and Off Campus Activities/Events

Insert text from current section 8.4 Chalking and 8.5 Posters, Signs , Leaflets

Responsibilities of officers of the organization include:

1. Reserve facilities for organization meetings and functions;
2. Prepare and file with the Memorial Union Student—Activities Office an Event Risk Management Planning Notification Form, no later than two weeks prior to an off campus event;
3. Take initiative to ensure compliance with policies;
4. Seek assistance from staff in the Memorial Union Student Activities Office, as necessary;
5. Communicate policies to the organization's membership;
6. Encourage the organizational adviser(s) to be present; and
7. Take responsibility for group functions.

Refer to section 4.3.6 for off-campus events at which alcohol may be available.

7.74.9 Fraternities and Sororities

7.7.1 Membership

Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College/ Dual-College recognition; membership is limited to students enrolled at NDSU.

7.7.2 Residents of Greek Chapter Houses

Only initiated member(s) of that chapter currently enrolled at NDSU, or a house employee, may reside in the house during the fall and spring semesters without authorization from the dean of student life and by chapter leadership.

7.7.3 Summer Rules

Fraternity and sorority presidents are to furnish names of the summer house managers to the coordinator for Greek life, Memorial Union. Chapter leadership is required to inform summer residents of university and Greek life policies.

7.7.4 Alcohol and Other Drugs

Fraternity Houses – No alcoholic beverages ~~or drugs~~ are permitted in common areas of chapter property at any time. Members who are 21 years of age may consume alcohol in the privacy of their rooms/suites with no more than three non-room/suite residents who are also 21 years of age or older. If multiple individuals live in one room/suite, all residents must be 21 years of age or older. Illegal drugs are not permitted on chapter property at any time.

Sorority Houses – National ~~PanHellenic~~-Panhellenic Conference ~~rules-policy prohibit alcohol and requires alcohol free facilities for all chapter houses.~~ Illegal drugs are not permitted on chapter property at any time.

7.7.5 Code Violations

As is the case with all university student organizations, fraternities and sororities will be held responsible for any conflicts with university policies occurring in Greek residences or at functions or social events sponsored by chapters.

8.4.10 Commercial Solicitations and Distribution Issues

See NDSU Policy 154 Distribution of Literature (www.ndsu.edu/fileadmin/policy/154.pdf)

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NDSU reserves the right to control the time, manner, and place of commercial solicitation, distribution of literature and demonstrations occurring in public on the NDSU campus. Advance registration of such activities and events is required.

Failure to register an activity or event or failure to comply with NDSU time, manner and place restrictions may result in administrative, civil and/or criminal proceedings for any participants engaging in disruptive activities. Such activities may result in university conflict resolution proceedings, issuing a no trespass warning and removal from campus, and/or arrest by law enforcement personnel.

8.1 Commercial and Fundraising Activities

See NDSU Policy 150 [Commercial and Fundraising Activities](http://www.ndsu.edu/policy/150.pdf) (www.ndsu.edu/policy/150.pdf).

8.1.1 Recognized Student Organizations

Recognized student organizations must register fundraising activities with the associate director of Memorial Union/Student Activities Office at least two (2) weeks prior to advertising or initiating fundraising efforts. In some instances, the Event Risk Management Planning Notification Form may be required. Activities or items associated with fundraisers must be consistent with university policies and local, state, and federal laws.

Student organizations may use university facilities for sponsoring events at which admission is charged or donations are solicited, provided 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.

8.1.2 Organizations Not Affiliated with NDSU and Individuals

Organizations not affiliated with NDSU and individuals (regardless of affiliation with NDSU) may not advertise, sell, conduct a business, or raise funds on campus or in a university residence without first registering and receiving written permission from the following: In university apartments, from the assistant director for residence life apartments. Commercial activities in public areas of university apartments will not be allowed. In residence halls, from the senior associate director of residence 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 bedrooms, corridors or suites. In the Memorial Union, from the Memorial Union director. 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 Wallman Wellness Center, from the director of the center. In all other areas, including exterior spaces, consult the Dean of Student Life Office for referral to the appropriate university official.

8.1.3 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.

8.1.4 Raffles or Lotteries

Raffles or lotteries require a permit obtained from the City Auditor's Office. The associate director of the Memorial Union Student Activities also must sign the permit.

8.2 Solicitations/Distribution of Literature

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

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

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

8.2.4 Commercial literature may not be sold or distributed on campus unless rules governing advertising in the section "Commercial and Fundraising Activities" have been followed (see Section 8.1).

8.2.5 Any person or groups of persons who want to distribute literature to the public in the Memorial Union may use the following methods:

- a) Literature racks located 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 that want to utilize the 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 time limit to accommodate as many users as possible. Distributor(s) must register in advance in the Memorial Union Administrative Office, at which

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time the following information will be required:

1. Type, location, date(s) and time of distribution;
2. Copy of the literature;
3. Name of the organization represented, if any; and
4. Name, address and signature of the person or a group representative.

~~8.2.6 Literature may not be distributed in classrooms except by permission of the instructor or by registered student organizations at their scheduled meetings or events.~~

~~8.2.7 Posters may be distributed on campus in designated locations only. A list of all on-campus posting locations is available in the Student Activities Office, Memorial Union 120. It is prohibited to place posters, signs, or handbills on areas not provided for that purpose by the university. To place flyers on bulletin boards in campus buildings, permission must first be obtained by contacting the appropriate administrative representative as designated on the distribution list (for additional information, see NDSU Policy 154: www.ndsu.edu/policy/154.htm).~~

~~8.2.8 Literature to be distributed within the residence halls or university apartments must be approved by the senior associate director of residence life.~~

8.3 Demonstrations/Parades

~~8.3.1 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 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 demonstrations. All members of the community are expected to conduct dialogs with civility. Organizers and participants must allow other community members freedom of movement on campus and freedom to engage in performance of their duties or pursuit of their educational and co-curricular activities.~~

~~8.3.2 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 staff and faculty of the university to engage in performance of their duties, and for students to pursue their educational and co-curricular activities. Impeding or restricting these activities by making excessive noise; blocking entrances or exits from university facilities; or using coercion, intimidation, threats or violence is unacceptable.~~

~~8.3.3 Organizers and participants are expected and required to vacate an area or university facility when directed to do so by an authorized official of the university or law enforcement personnel.~~

~~8.3.4 Any on-campus protest, rally, or demonstration must be registered with the director of the Memorial Union and University Police and, whenever possible, at least 24 hours prior to the event. The registration process will enable university officials to:~~

- ~~a) Outline and discuss with organizers the guidelines — necessary to keep the demonstration non-violent and non-disruptive,~~
- ~~b) Plan for the control of possible counter — demonstrations that would infringe upon the rights of participants or result in violent or abusive action,~~
- ~~c) If demonstration/parade will involve a public street, applicants also must obtain a City of Fargo special event permit. Parades through campus buildings are not permitted.~~

8.4 Chalking

Individuals who want to chalk on sidewalks near the Memorial Union should seek permission from the director of the Memorial Union. Contact the director of facilities management to seek permission to chalk in any other area. Chalking on any other surfaces is prohibited. The content of messages is limited to the promotion of a specific event.

8.5 Posters, Signs, Leaflets

Placing posters, signs or leaflets, except on one's own personal property or in areas authorized and provided for that purpose by the university, is prohibited. Individuals should seek permission from those persons who have administrative control of that location. For guidance when this person is unknown, contact the Dean of Student Life Office.

9. Reporting, Investigating and Resolving Complaints

V. Procedures

[Insert current section 9.3 as amended](#)

[Complaint resolution procedures](#)[Reports and Investigations](#) are used to determine whether a student is responsible for alleged violations of the Code of Student Behavior~~Conduct~~, and include the following purposes:

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- a) To provide for the education of students;
- b) To promote the health, safety and well-being of university community members;
- c) To provide for fair inquiries concerning alleged violations of university policies;
- d) To determine whether or not any individual student has violated a university policy;
- e) To allow for consideration of extenuating or mitigating factors when a violation has been found to exist;
- f) To determine a resolution that will be appropriate; and
- g) To help the student make a constructive response toward self-discipline.

9.1.5.2 Reporting Alleged Violations

~~Complaints~~ Alleged violations should be reported as soon as possible following the discovery of ~~alleged inappropriate behavior~~ prohibited conduct and may be initiated by law enforcement or any member of the NDSU community, ~~including students, faculty, staff members and guests of the campus or other interested parties.~~

An alleged violation should be reported to the:

- a) Dean of Student Life Office, 250 Memorial Union, and/or
- b) Department of Residence Life, West Bison Court, ~~and/or~~
- e) ~~Memorial Union Administrative Office, 246 Memorial Union.~~

9.2.5.3 Investigationsg Reports of Alleged Violations

~~9.2.1 No form of harassment may be used by institutional representatives to coerce admissions of guilt or information about one's behavior—or that of other suspected persons.~~

Investigation means to gather the facts, details and circumstances associated with a complaint. The investigation may include interviewing witnesses, review of documents or other steps that will assist the dean of student life and/or designee to determine whether charges are warranted. Dismissal of the complaint, an alternative resolution, or charges may result following an investigation. This determination is made at the discretion of the dean of student life and/or designee based on recommendations from investigators.

The University may independently investigate an allegation of student conduct, and may also initiate an investigation at the request of any member of the NDSU community or affected party. Student Life conduct officers and other designated university personnel are authorized to investigate alleged violations of the Code of Student Conduct.

Any person believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Failure to comply with a request to make and keep an appointment relevant to an investigation may result in a conduct hold being placed on a student's registration and records.

9.2.25.4 Searches and Seizure

University policy on the privacy of student rooms stipulates that entry and search of university residences by university officials will be permitted only in one or more of the following instances:

- a) The student consents to the search;
- b) The officials responsible fear an imminent danger to health, safety, life or property;
- c) The vice president for student affairs or designee provides a written administrative authorization specifying reasons for the search, objects of information sought and area to be searched; or;
- d) University officials fear imminent destruction of evidence relevant to a suspected violation of university ~~regulations~~ policies.

When students are suspected of violating NDUS or NDSU Acceptable Use Policies, student computers, associated peripheral devices, and media storage devices may be taken into temporary custody on authority of the Information Technology Services Officer (ITSO) to collect and preserve evidence of possible violations of local, state or federal laws (see NDSU Policy 158: Acceptable Use of Electronic Communications Devices: www.ndsu.edu/fileadmin/policy/158.pdf and State Board of Higher Education (SBHE) Policy 1901.2, Computing Facilities: www.ndus.edu/policies/ndus-policies/subpolicy.asp?ref=2551). If additional questions remain, contact the Information Technology Services Officer (ITSO).

The university requires that university officials notify the dean of student life ~~and/or designee~~ of searches. The university will not intervene between students and searches authorized under law by any law enforcement agencies. ~~At the conclusion of those actions, and w~~When provided information by law enforcement agencies, the university reserves the right to initiate action under this code when alleged violations of the code are believed to have occurred.

The right to inspect residence hall rooms and university apartments without notice is reserved by the university for purposes of maintenance, cleaning, fire, personal safety and administering provisions of the license contract. The university will provide reasonable notice, when possible. Such entry by the university shall not be regarded as a search, but is separately agreed to and authorized by the student through provisions in the residence life license contract. Items that pose an eminent danger to health, safety, life, or property may be taken into temporary custody of residence life staff, university police, or other emergency personnel.

9.3 Resolution of Conflicts

The ~~conflict code~~ resolution process generally includes the following steps:

- a) Receipt of an incident report,

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- b) Creation of a conduct file,
- c) Implementation of interim actions, if necessary
- d) Investigation of incident, if necessary
- e) Notice of alleged violations,
- f) Prehearing conference,
- g) Hearing (administrative or ~~complaint resolution~~conduct board),
- h) Notification of findings, including sanctions, and terms and conditions, as assigned,
- i) Appeal (if student chooses),
- j) Notification of appeal decision (if applicable).

A detailed description of these steps ~~may be found in Section 11, Guaranteed Student Rights and Complaint Resolution Process~~ provided below. Cases related to Title IX compliance will require some modification of the resolution process, ass approved by the NDSU Title IX Coordinator.

5.1 Reporting and Investigating Complaints

5.5 Notice of Charges

5.6 Prehearing Conference

9.4.XI. Special Circumstances and Conditions

9.4.19.1 Registration/Graduation Hold

- a) If a student (new, current or returning) fails to respond to a request to meet to discuss an alleged violation of this code, or fails to comply with sanctions or terms and conditions assigned as a result of being found responsible for a violation of this code, a hold may be placed on the student's eligibility to register or the student's current registration may be canceled. If registration is canceled, eligibility for any refund of tuition/fees will be subject to the university's withdrawal policy.
- b) Students may not be permitted to graduate or officially withdraw from NDSU while disciplinary action is pending. If the student withdraws before NDSU becomes aware of the potential violation of this code, the student's academic records may be placed on hold and the allegations must be resolved prior to the student's readmission.

9.4.29.2 Returning and/or New Students

If a student commits an act that violates this code during a period of nonenrollment, a registration hold may be placed to prevent the student's registration until a hearing may be held on that matter. The student may be notified about these holds at the time the university is first notified about the incident, or notice may be provided when the student subsequently requests enrollment. In addition, ~~an administrative hearing~~conduct officer, in consultation with the dean of student life ~~or designee~~, may place a registration hold to deny a student the eligibility to register. Reasons may include, but are not limited to, the student's arrest or when criminal charges are pending against the student, serious concerns arise about the health or safety of the student or others in the university community, and/or as otherwise provided by NDSU Policy 607-Admission & Re-enrollment Safety Risk; Background Checks www.ndsu.edu/fileadmin/policy/607.pdf.

9.4.39.3 Temporary Emergency Suspension

A student may be temporarily suspended, pending a hearing, when the student's actions or threats of action indicate a serious threat to the welfare and/or safety of persons or property. No hearing will be required before a temporary suspension is imposed; however, one will be convened within five business days following the suspension. If the suspension is upheld, the suspension remains subject to the rules outlined in ~~Behavioral—Conduct~~ Suspension (see Section ~~10.1.47.1~~) and remains a matter of permanent record. Conditions under which emergency suspension may be imposed:

- a) To ensure the health, safety or well-being of members of the university community,
- b) To preserve university property,
- c) To ensure the suspended student's own physical and emotional safety and well-being, or
- d) To ensure against the disruption of, or interference with, the normal operations of the university.

9.4.49.4 Administrative Withdrawal for Psychiatric Reasons

A student may be subject to administrative withdrawal, if it is determined by clear and convincing evidence, that the student: suffers from a mental disorder as defined by the current American Psychiatric Association Diagnostic Manual and as a result of such a disorder engages, or threatens to engage in behavior that:

- a) Poses a significant danger of causing imminent harm to the student or others, or
- b) Directly and substantially impedes the lawful activities of other members of the campus community.

These standards do not preclude North Dakota laws. Consideration will be given first to use of normal disciplinary processes of counseling, voluntary withdrawal, use of state commitment laws (NDCC 25.03.1), or use of other alternatives whenever appropriate.

9.4.4.1 Disciplinary Conduct Violations

A student accused of violating this code may not be subject to the disciplinary process if the student, as a result of a mental disorder:

- a) Lacks the capacity to respond to pending disciplinary charges, or
- b) Lacks the capacity to know the nature or wrongfulness of the conduct at the time of the offense. Students subject to disciplinary charges who wish to introduce relevant evidence of any mental disorder must so inform the dean of student life in writing at least two business days prior to any ~~disciplinary conduct~~ hearing. The dean of student

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life may elect to appoint a designee to act in administering this policy. If the dean of student life determines that the evidence may have merit, the case will then be resolved in accordance with these standards and procedures. If it is determined the student does not meet the criteria mentioned above, the case will be returned to the disciplinary process.

9.4.4.2 Evaluation Referral

The dean of student life may refer a student for an evaluation by an independent, licensed psychiatrist or psychologist chosen by the institution if the dean of student life reasonably believes the student may meet the criteria in Section 9.4.4.4, or if a student subject to disciplinary-conduct charges wants to introduce relevant evidence of any mental disorder. A student referred for evaluation will be informed in writing by NDSU email and the evaluation must be scheduled no later than five days from the date of the referral letter. The evaluation will be at the student's expense. If a student fails to complete an independent evaluation, he or she may be subject to the disciplinary-conduct process or an immediate interim withdrawal.

9.4.4.3 Interim Withdrawal

As stated above, an interim withdrawal may be implemented if a student fails to complete an evaluation with a licensed psychologist or psychiatrist. Also, an interim withdrawal may be undertaken immediately if the dean of student life determines a student may be suffering from a mental disorder, and the student's behavior-conduct poses an imminent danger.

A student subject to interim withdrawal shall be given written notice and may be assisted throughout this process by an individual of his or her choice. The student, whether or not an evaluation has been completed, shall be given the opportunity to appear personally before the dean of student life within 72 hours of the effective date of the interim withdrawal to review:

- a) Reliability of the information concerning the student's behavior-conduct, and
- b) Whether the student's behavior-conduct poses an imminent danger.

During an interim withdrawal, the dean of student life may place restrictions including, but not limited to, class attendance and use of campus services and facilities.

9.4.4.4 Involuntary Withdrawal

A student under consideration for involuntary withdrawal will be accorded an informal hearing-conference with the dean of student life or designee. The informal hearing-conference will be held within seven business days after an evaluation by a licensed psychologist or psychiatrist has been completed. Prior to the informal hearing-conference, the dean of student life and the student will have an opportunity to review independently the psychological or psychiatric evaluation.

- a) The dean of student life conducts informal hearing-conference proceedings. An individual of his or her choice may assist the student in the informal hearing-conference. The student will remain withdrawn on an interim basis pending completion of the informal hearing-conference.
- b) A written decision shall be rendered by the dean of student life containing a statement of reasons for any determination leading to involuntary withdrawal. The student also should be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement. The student may appeal the decision to the vice president for student affairs.

9.5 Negotiated Withdrawal

In rare circumstances a student may be allowed to negotiate a mutually agreed upon withdraw for a specified period of time. Other conditions may also need to be met prior to application for reenrollment. Such conditions will be provided to the student in writing at the time of the negotiated withdrawal.

This action results in no notation on the student's academic transcript; however, in instances involving interpersonal violence or felony level criminal conduct, charged or uncharged, a transcript notation may be applied at the discretion of the dean of student life or designee. "may not register for non-academic reasons." The dean of student life or designee will determine whether this notation will remain on the transcript, should the student later be readmitted.

A student requesting readmission will be required to meet with the dean of student life or designee prior to approval of the student's petition for readmission. The student must be academically eligible for readmission to NDSU and may be required to pass a criminal background check at the student's expense prior to admission.

9.5.6 Interim Actions

In the interest of safety and security, interim actions may include the issuance of a No Contact Order and/or loss of privileges as defined in Section 10.2.6Part VII.

9.6.7 Crimes of Violence

The term "crime of violence" means:

- a) An offense that has an element of use, attempted use, or threatened use of physical violence against the person or property of another, or
- b) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

Examples include, but are not limited to, arson, auto theft, assault, aggravated assault, burglary, kidnapping/abduction, manslaughter, murder, resisting arrest through the

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use or threat of physical force, robbery, vandalism, and forcible and nonforcible sexual offenses.

In cases of crimes of violence, the dean of student life may increase, but not decrease, timelines stated in the code and may determine by whom the case is heard.

9.6.19.8 Notification of Hearing Outcomes for Crimes of Violence

Individuals who are victims of crimes of violence have a right to be notified of the outcome of complaint resolution procedures, upon written request to the dean of student life. If the ~~complainant-victim~~ is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Notification shall be limited to the responsible student(s), part(s) of the code violated, and assigned sanction(s). ~~Complainants-Individuals~~ in receipt of this information may assume personal civil liability for releasing this information to others.

9.79.9 Conditions Under Which Emergency Suspension May Be Imposed:

- a) To ensure the health, safety or well-being of members of the university community,
- b) To preserve university property;
- c) To ensure the suspended student's own physical and emotional safety and well-being, or
- d) To ensure against disruption of, or interference with, normal operations of the university.

No hearing will be required before emergency suspension is imposed; however, one will normally be convened within five business days following the suspension. In unique circumstances, any alteration to this timeline will be at the discretion of the dean of student life. If the suspension is upheld following the hearing, the suspension remains subject to the rules outlined in ~~Behavioral-Conduct~~ Suspension (Section ~~10.1.47.1~~) and remains a matter of permanent record ~~(see Section 17.1.2 for a definition of permanent record).~~

9.89.10 Incarcerated Students

In cases involving incarceration, a hearing will be held when the student is available for a hearing. Under these circumstances, the dean of student life ~~or designee~~ may determine that an administrative hearing be held rather than a ~~Code of Student Behavior-Complaint Resolution-Conduct~~ Board hearing.

9.95.10 Default Proceedings for Current Students and Unresolved Charges

~~A-When a student/organization who fails to appear for a hearing appointment without advance notice, or leaves the university with unresolved charges will be considered in default the conduct officer or a conduct board may make a decision in the student/organization's absence, providing the student/organization was issued an advance written notice of the date, time and place of the scheduled hearing via the NDSU email system. The case may be decided based on information available at that time. Default decisions may be reexamined only when the student shows the absence was for reasonable cause.~~

9.10 Student/Organization Leaves the University with Unresolved Charges

~~When a student/organization leaves the university with unresolved charges, the administrative hearing officer or a complaint resolution board may make a decision in the student/organization's absence, providing the student/organization was issued an advance written notice of the date, time and place of the scheduled hearing.~~

In certain cases, the ~~administrative hearing-conduct~~ officer reserves the option to place a registration hold on the student's records and archive the case until such time the student requests re-registration or a resolution of the pending matter. The ~~administrative hearing-conduct~~ officer also may place a notation, "may not register for non-academic reasons," after recommendation to and approval from the dean of student life ~~or designee~~.

9.115.11 Student Organizations in Default

In the event a student organization becomes inactive rather than appear for a hearing, the default decision will typically be withdrawal of recognition granted by the Congress of Student Organizations. In addition, officers of the organization at the time of the incident may face conduct proceedings individually for failure to comply (see Section ~~3.214.11~~) and also may be charged with one or more of the original alleged violations of the code arising from the alleged misconduct by the organization. ~~If found responsible for this violation, the original incident that led to allegations against the student organization will be considered in the determination of sanctions for the organizational officers.~~

If the organization requests registration at a later date, the dean of student life ~~or designee~~ will assign a ~~hearing-conduct~~ officer to meet with the student organization leadership to determine responsibility for the original charges, determine or recommend the appropriate sanction, and if that sanction is less than suspension or expulsion, will assess the need for any current remedial actions.

10. Code of Student Behavior-VII. Sanctions, Terms and Conditions

A sanction is a consequence placed upon any student for ~~conflicts with violations of~~ specified university policies. Sanctions help define the student's relationship with the university in the context of current and potential future ~~behavior-conduct~~, including a notice that further ~~conflicts-violations~~ may lead to more severe ~~behavioral-conduct~~ sanctions.

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If a student is found not responsible for the alleged code violation(s), no action will be taken against the accused student; however, having been through the Code process, the student is considered knowledgeable regarding the Code's provisions and expectations, and that knowledge may be taken into consideration in the event of future Code actions.

In cases in which the student is found responsible for violating one or more policies, a sanction may be imposed. The sanctions listed below are assigned based on the severity of the incident and/or past conduct history:

1. Warning,
2. ~~Behavioral-Conduct~~ probation,
3. Supervised ~~behavioral-conduct~~ probation,
4. ~~Behavioral-Conduct~~ suspension,
5. ~~Voluntary withdrawal,~~
6. Expulsion or
7. Recommendation to the provost to withhold or rescind a degree.

Written decisions are generally rendered within 10 business days from the date of the hearing. In cases of code violations serious enough to warrant suspension or expulsion, the conduct officer or board chair will make a recommendation to the dean of student life. When approval of the recommended sanction is received, the conduct officer or board chair will issue the written decision. Sanctions of suspension and expulsion are noted on students' academic transcript.

When certain mitigating circumstances exist, such as an extended period of time between the incident and reenrollment, a finding of responsibility may result in no sanctions required.

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

1. ~~Restitution, Alcohol or other drug programming, evaluation, and or testing~~
2. ~~Confiscation, Written assignments~~
3. ~~Restricted access to university facilities and grounds, Participation in a specific activity or project,~~
4. ~~Loss of privileges, Restricted access~~
5. ~~Participation in a specific activity or project, Loss of privileges~~
6. ~~Alcohol or other drug testing and/or evaluation and/or No contact orders~~
7. ~~No contact orders, Restitution and/or~~
8. ~~Confiscation.~~

In assigning a sanction and/or terms and conditions for inappropriate student ~~behavior-conduct~~, the ~~hearing-conduct~~ officer or board will consider:

- a) Facts of the case as presented from all relevant sources, including the accused student,
- b) Existence of any physical evidence or written or oral information provided by the accused student and/or witnesses,
- c) Type and severity of the offense,
- d) Impact on the educational community and its members.
- de) Previous incidents of ~~inappropriate behavior/prohibited conduct~~ -committed by the accused student and
- ef) The ability and/or willingness of the student to accept responsibility.

~~10-1-7.1~~ Sanctions

~~10.1.1~~ Written Warning

A warning is a written notification that subsequent code violations will normally result in more severe sanctions. ~~This action results in no notation on the student's academic transcript.~~

~~10.1.2~~ Behavioral-Conduct Probation

~~Behavioral-Conduct~~ probation is a written notification of a specified period of review and observation during which the student must demonstrate the ability to comply with university policies and local, state and federal laws, and any other terms or conditions that have been imposed in writing. The specific terms of the probation will be determined on a case-by-case basis. ~~Behavioral-Conduct~~ probation may be supervised or unsupervised. Further ~~inappropriate behavior/prohibited conduct~~ may result in additional sanctions to be assigned, including, but not limited to, suspension or expulsion. ~~This action results in no notation on the student's academic transcript.~~

~~10.1.3~~ Supervised Behavioral-Conduct Probation

Supervised ~~behavioral-conduct~~ probation generally requires meetings with a member of the Division of Student Affairs at regularly established intervals to monitor progress in behavioral, academic, social, vocational and other areas of the student's life necessary to strive for overall success at NDSU. The supervisor may assign educational tasks and/or projects as deemed necessary and appropriate to assist the student in personal growth. Further prohibited conduct may result in additional

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sanctions to be assigned, including, but not limited to, suspension or expulsion.

10.1.4 Behavioral Conduct Suspension

~~Behavioral Conduct~~ suspension is a written notification of the termination of status as an enrolled student or registered student organization for a specified period of time not to exceed two academic years. In cases of crimes of violence, hate crimes, and/or Title IX related violations, the dean of student life may specify a longer period of suspension.

- a) A student may not re-enroll during the period of ~~behavioral-conduct~~ suspension.
- b) A student who has been suspended must vacate residence life facilities within the time frame established in the written notice of the ~~behavioral-conduct~~ suspension.
- c) The notice of ~~behavioral-conduct~~ suspension will include the conditions for readmission that must be met prior to application for readmission. Students may obtain a reactivation of student status (after absence) form from Registration and Records, Ceres Hall, ~~also or~~ online at www.ndsu.edu/fileadmin/registrar/forms/reactivate.pdf through Bison Connection. An interview with a member of the dean of student life staff also will be required prior to acceptance of the student's application for readmission.
- d) While a student is under ~~behavioral-conduct~~ suspension from NDSU, no academic credit earned during the suspension period will be accepted for transfer from any other higher education institution at any time. The student's transcript will carry a notation "may not register for nonacademic reasons" without further explanation. If the student is subsequently readmitted, the original notation will remain on the transcript and a new notation will be added, "eligible for registration effective ..."
- e) The student's eligibility for any refund of tuition/fees will be subject to the university's normal withdrawal policy.
- f) There may be other restrictions placed on the suspended student including, but not limited to, restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities. The student also may be required to obtain prior written permission from a member of the dean of student life staff before being on any portion of the NDSU campus during the period of suspension. Approval is generally granted only to permit a student to conduct business related to the university. Usually a student with restricted access to the campus will be allowed on campus to conduct business related to the university, but only through prior written approval by a member of the dean of student life staff.
- g) ~~Behavioral-Conduct~~ suspension is a matter of permanent record. A permanent record indicates that student ~~behavior-conduct~~ files may be retained indefinitely at the discretion of the dean of student life, but not less than seven (7) years.
- h) Student organizations placed on suspension may have all rights and privileges provided by CSO revoked for the duration of their suspension. In order to regain all rights and privileges, the student organization is required to comply with and complete any and all sanctions and terms and conditions.

10.1.5 Voluntary Withdrawal

~~In rare circumstances, based on mutual agreement, the student may be allowed to withdraw on a voluntary basis. Conditions may be imposed concerning the period of time after which the student may petition for reenrollment and/or for other conditions to be met prior to application for reenrollment. A meeting will be required with a member of the dean of student life staff prior to approval of the student's petition for readmission. This action results in no notation on the student's academic transcript.~~

10.1.6 Expulsion

Expulsion is a written notification that the student is permanently ineligible to return to the university. ~~The student must leave university residences and cease all use of university owned or controlled buildings, properties and services within the time frame established in the written notice of the expulsion. Requests for readmission will not be approved.~~ The expulsion will be recorded on the student's transcript as "may not register for nonacademic reasons" and is a matter of permanent record.

The student must leave university residences and cease all use of university owned or controlled buildings, properties and services as designated in the expulsion notice. The expulsion notice will also include any other specific restrictions and a time frame during which these restrictions apply. These may include restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities.

Written requests for exceptions to restrictions may be directed to the dean of student life or designee; however, approval is generally only granted for the purpose of conducting official university business. Requests for readmission will not be approved.

10.1.7 Degree Rescission

If a person has been awarded an NDSU degree and it is subsequently discovered that the person committed a serious breach of this code while attending the university, the university may, upon separate proceedings, elect to rescind the degree. See section 9.4.19.1 regarding graduation holds for similar reasons.

10.27.2 Conditions Associated with Behavioral Sanctions

10.2.1 Restitution

A student may be required to repair, pay the cost for repair or pay for cost of replacement of any university or state property damaged by the student. In each case, the goal will be to return the damaged property to its existing condition at the time of damage. The determination of the method used to calculate restitution shall be the responsibility of the hearing officer or board chair, taking into consideration the fair market value or cost to repair the damaged item(s). In the case of personal injury, the responsible party may be required to cover the cost of medical care for others harmed as a result of the student's actions.

When available and appropriate, secondary markets may be utilized. The decision maker shall consider information and/or evidence provided by both parties to achieve a fair and just result. ~~In the case of personal injury, the responsible party may be required to cover the cost of medical care for others harmed as a result of the student's~~

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~~actions.~~ Failure to make timely arrangements for restitution may result in the cancellation of the student's registration, prevention of the student's re-registration, or more severe sanctions including, but not limited to, ~~behavioral-conduct~~ suspension or expulsion. When the responsible party is a student organization, additional sanctions or terms and conditions also may be assigned for failure to make timely arrangements for restitution.

~~10.2.2~~ Confiscation

In addition to items ~~already~~ seized as evidence, goods used or possessed in violation of university policies and/or local, state or federal laws ~~may be confiscated and not be returned to the student.~~ This includes ~~ing,~~ but not limited to, falsified information or identification, ~~may be confiscated and not be returned to the student.~~

~~10.2.3~~ Loss of Privileges

A student may be denied various privileges ~~customarily~~ associated with being a student at NDSU. Such privileges ~~may~~ include, but are not limited to, one or more of the following:

- a) Participating in or attending events sponsored by the university or by students,
- b) Holding office in any Congress of Student Organizations (CSO) recognized student organizations,
- c) Receiving ~~or being a~~ guests in residence life facilities,
- d) Access to parts of or all university property, including eligibility to reside in university facilities,
- e) Receiving financial aid,
- f) Being employed by the university,
- g) Representing the university,
- h) Sponsoring or hosting organization or campus ~~wide~~ functions,
- i) Using IT services and
- j) Maintaining recognized status with the CSO.

~~10.2.4~~ Participation in a Specific Activity or Project

A student may be required to participate in a specific activity or project, such as public service, ~~an alcohol and/or other drug education program,~~ an educational class, ~~and/or~~ meeting with a designated university official or other assignment.

~~Restricted Access~~

~~Students may have access to university facilities and grounds restricted for a specified period of time. Restricted access may include but is not limited to entry into university facilities or athletic fields, access to specific university offices, and visiting and/or living in any university housing facility. Students found in violation of restricted access directives may be issued a trespass citation by University Police and may be subject to further conduct action.~~

~~10.2.5~~ Alcohol or Other Drug Programming, Evaluation and/or Testing ~~and/or Evaluation~~

~~A student may be required to participate in alcohol or other drug programming as a result of participaint in any incident involving the use or abuse of alcohol and other drugs. The university reserves the right to require alcohol/drug testing and/or evaluation as a condition of enrollment or continued enrollment when:~~

- a) A student's ~~behavior-conduct~~ endangers or may endanger the safety of ~~themselves, others, or property~~ ~~or themselves while under the influence of alcohol/drugs, and/or~~
- b) ~~When the~~A pattern of conduct has been demonstrated by a student has had three or more separate violations involving alcohol/drugs. All such testing and/or evaluation shall be at the student's expense. The student will be expected to sign appropriate releases to demonstrate to the university that the student is complying with any recommendations resulting from such testing and/or evaluation.

~~Written Assignments~~

~~Students may be required to complete written assignments as a means of reflecting and/or learning more about a particular topic.~~

~~10.2.6~~ No Contact Order

Students may be prohibited from direct or indirect physical and/or verbal contact with another individual or group. Reasonable restrictions to protect the safety and welfare of others may also be imposed. These include, but are not limited, to any and all forms of communication, access to university owned or controlled locations and specified minimum distances.

~~11. Student Rights Guaranteed in the Complaint Resolution Procedures~~

~~11.1-5.13~~ Burden of Proof

The burden of proof will rest upon the ~~complainant-conduct officer.~~ ~~The complainant is usually~~ a university staff member who is presenting the complaint on behalf of the university.

~~11.25.14~~ Standard of Proof

~~The standard of proof will be "more likely than not."~~ A student is found to have violated this code when the student:

- a) Admits to the violation or

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b) ~~The evidence~~Information available at the time of the hearing supports a finding of responsibility under this code. The standard of proof will be that it is “more likely than not” that the Code of Student Behavior has been violated.

~~11.35.5~~ **Notice of Charges**

Within a reasonable number of business days (generally 15) of receipt of the complaint, a written notice will be sent, usually via authorized university email, to the accused student to arrange a prehearing conference.

The notice of charges will include:

- a) Nature of the alleged inappropriate behavior ;
- b) Date, time and place of the alleged inappropriate behavior;
- c) Source of the complaint;
- d) Summary of the evidence to be presented;
- e) Maximum sanction applicable if found in violation of the Code of Student Behavior;
- f) Notice that a decision may be made in the student’s absence ~~based on information available, if the student chooses not to appear at the hearing and that the failure to appear will be considered in reaching a decision whether or not the behavior code has been violated and~~
- ~~g) URL directing the student to the online copy of the code or a printed copy of the code.~~

The Code of Student Conduct is available at www.ndsu.edu/fileadmin/studentlife/Student Code.pdf or the Student Life Office, Memorial Union 250

The student ~~and the complainant~~ must be given notice in writing of a summary of the charges and evidence to be presented in sufficient time to ensure an adequate opportunity to prepare for the hearing. The university will ~~do all it reasonably can to~~ provide the student ~~and complainant~~ oral or written notification of the hearing ~~48 hours at least 3 business days~~ prior to the hearing date. Students may consent to a shorter notice period, if they so choose.

~~11.3.1~~ **Verbal Notice**

~~In some cases a verbal request for a pre-hearing conference may be made (followed by a written request if the student so chooses), particularly in minor cases or cases in which an expedited hearing is appropriate. Examples include, but are not limited to, the two weeks prior to any university break of more than one week or when the student has indicated a decision not to return the following semester.~~

~~11.45.6~~ **Prehearing Conference**

During the prehearing conference, the ~~administrative hearing~~conduct officer will discuss the:

- a) Student’s rights and responsibilities and
- b) Nature of the complaint and how the Code of Student ~~Behavior~~Conduct may have been violated.

~~The student has a right to make a written and/or oral statement describing the event(s) that led to the charges.~~

The student may ~~also~~ request to proceed with an immediate hearing, ~~except in cases which may result in suspension or expulsion with the administrative hearing officer.~~ The ~~administrative hearing~~conduct officer may refuse to hear the case and refer it to another ~~administrative hearing~~conduct officer or ~~complaint resolution~~conduct board.

~~11.55.7~~ **Administrative Hearing Options and Complaint Resolution Board**

The Code of Student ~~Behavior~~Conduct ~~complaint~~ resolutions ~~procedures at NDSU include:~~process is facilitated through an administrative hearing or a conduct board hearing.

- ~~a) An administrative hearing officer designated by the dean of student life or~~
- ~~b) A complaint resolution board.~~

Insert text from current section 12 as part of new section 5.7

Insert current section 11.11 as part of new section 5.7

Insert current sections 13.1, 13.2 and 12.5 as new section 5.8 Administrative Hearings

~~11.65.12~~ **Conflicts of Interest**

Any ~~administrative hearing~~conduct officer or board member who has a conflicting interest in the particular case may not ~~sit in judgment during that proceeding~~participate. Each party has the right to challenge the appointment of an ~~administrative hearing~~conduct officer or board member. Challenges must be submitted in writing to the dean of student life ~~or designee~~ at least two business days prior to the hearing. If an accused student or a ~~complainant~~conduct officer fails to raise a perceived conflict by objecting to that person two business days in advance, any objection is deemed to be waived. An individual may not be disqualified solely on the basis of his or her position in the university community.

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~~11.7 Witnesses and Evidence~~

~~The accused student and the complainant shall be given reasonable opportunity to present their cases, including presentation of other evidence beyond written and verbal testimony by themselves and their witnesses. Witnesses will remain only for the duration of their own testimonies.~~

~~All testimony and other evidence upon which the decision will be based must be introduced into evidence at the hearing. Determination as to whether the accused student is or is not responsible for the alleged code violations will be based on the information provided prior to or during the hearing. Hearing officials have the discretion to verify accuracy of information and are required to notify the accused prior to issuing a decision if discrepancies are noted. Evidence acquired in violation of university rules concerning investigation of student behavior shall not be admissible (see Section 9). Formal rules of evidence shall not be applicable. Deviations from prescribed procedures shall not invalidate a decision or proceeding unless significant prejudice to a student or the university may result.~~

~~If both parties agree, the hearing may be limited to a consideration of written statements. If the accused student is going before a complaint resolution board, the written statements must be presented to the chair of the complaint resolution board two business days prior to the hearing for distribution to the board members. For administrative hearings, the written statements may be provided ahead of time or at the hearing.~~

~~11.8 Hearsay Evidence~~

~~Hearsay evidence is permitted and will be given any consideration deemed appropriate by individual decision makers. Hearsay evidence is a term applied to testimony given by a witness who speaks about information received from others, rather than information directly given by that witness. The value of such evidence rests with the discretion of hearing officials and their individual judgment of the witnesses' credibility.~~

~~11.9 General Character Witnesses~~

~~Character witnesses are not permitted to appear before the hearing officer/board, but the accused student may submit up to three written documents to the hearing officer/chair of the board two business days prior to the hearing. Each statement must be dated and signed, with the name of the individual signing printed below to ensure legibility. If the accused student is found responsible for violating this code, the hearing officer/chair of the board may consider these statements during sanctioning.~~

~~11.10 Questioning Witnesses~~

~~The student and the complainant have the right to address questions through the hearing officer/board to other witnesses at the hearing. If both parties agree, however, the hearing may be limited to a consideration of written statements. A witness may testify in the absence of the accused student with prior approval of the administrative hearing officer or the complaint resolution board chair.~~

~~An absolute right of cross-examination is not granted under this code. All questions will be addressed to the administrative hearing officer or complaint resolution board chair. The administrative hearing officer or complaint resolution board chair will then rephrase relevant and reasonable questions, if necessary, and will retain the right to exclude questions that are redundant or irrelevant to determining responsibility. Persons answering questions will be given reasonable latitude to respond fully to questions.~~

5.16 Witnesses/Witness Statements

The accused student and the conduct officer will be given reasonable opportunity to present witnesses and/or witness statements and will be allowed to address questions to any witnesses participating in the hearing. An absolute right of cross examination is not granted under this code. In the case of a board hearing, all questions will be addressed through the chair, who will determine if the questions are relevant and reasonable, and if necessary, will exclude questions that are redundant or irrelevant in determining responsibility. Witnesses will be given reasonable latitude to respond fully to questions and will only remain for the duration of their own testimonies. All written statements that are to be considered are to be provided at least two business days prior to the hearing. Written statements must also be signed and dated, with the name of the witness printed below to ensure legibility or sent electronically directly by the witness. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

Character witnesses are not permitted. If the accused student is found responsible for violating this code, character statements may be considered during sanctioning. The accused student may submit up to three letters to the conduct officer/chair of the board, at least two business days prior to the hearing. Each letter must be dated and signed, with the name of the individual signing printed below to ensure legibility or sent electronically from the author of the written statement.

5.17 Evidence

The accused student and the conduct officer will be given reasonable opportunity to present any written or oral information that is relevant in determining responsibility. All pertinent information that is to be considered is to be provided at least two business days prior to the hearing. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

Because the hearing is an educational process, formal rules of evidence do not apply. For this reason, hearsay evidence is permitted. It refers to testimony given by a witness who speaks about information received from others, rather than information given directly by that witness. The value of such evidence rests with the discretion of each conduct officer/board member.

11.11 Hearing Adviser

The student and complainant conduct officer each have the right to have a person present who may act in an advisory capacity. This personThe role of the hearing adviser shall be to advise his/her own party, not to participate in the hearing, is not an advocate for the accused and cannot address the Code of Student Behavior complaint resolution board, the hearing officer or ask questions of witnesses. Hearing advisors who do not who do not respect this provision may be cautioned by the conduct

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~~officer/chair of the board and if they persist, may be asked to leave.~~

11.12 Attorneys

~~If the student chooses to have an attorney present as his or her hearing adviser ~~advisor~~, the NDSU may request general counsel ~~may~~ be present ~~to observe the proceedings as well. The complainant, if not a university staff member, also may choose to have an attorney present during his/her presentation.~~ The role of the an attorneys shall ~~not~~ be to advise his/her own client, not to participate in the hearing, ~~other than to advise their own clients.~~ Attorneys who do not respect this provision may be cautioned by the hearing-conduct officer/chair of the board and if they persist, may be asked to leave.~~

11.135.18 Self Incrimination

Accused students and witnesses shall not be compelled to incriminate themselves by being obligated to testify that they engaged in behavior-conduct constituting a violation of this code and/or local, state or federal law.

11.145.19 Closed Hearings

All hearings are ~~normally-generally open only~~ closed except to those persons who are part of the proceedings, unless otherwise arranged by prior mutual written agreement between the charged student and the dean of student life or designee. ~~Witness(es) will remain only for the duration of his/her (their) own testimony.~~ The dean of student life or designee may permit a limited number of NDSU personnel to be present as observers for the purpose of training. Other exceptions may also be made as deemed necessary by the dean of student life or designee.

11.155.20 Appeals

Students sanctioned for violations of any part of this Code of Student Behavior-Conduct or related-relevant university policies may appeal. Students are limited to one appeal and that decision is final (see Part VIII Section 16).

12. Hearings

Cases are normally heard through administrative hearings. In certain situations, a student may request a complaint-conduct resolution board hearing (see Section 14, Complaint Resolution Board Jurisdiction). The university also reserves the right to submit the case to a complaint-conduct resolution board either initially or at any point in an administrative hearing if:

- a) It becomes apparent the case may warrant suspension or expulsion or
- b) The hearing-conduct officer is unable to hear the case due to a conflict of interest or any other reason.

University administrators who have direct responsibility for Greek life and student organizations will process judicial-conduct cases related to fraternities, sororities and student organizations. Individual organizational boards will address only violations of those organizational standards, not violations of this code.

The student's rights remain the same ~~whether or not the student receives an administrative hearing or a complaint resolution board~~ regardless of the type of hearing.

12.1 Evidence

~~Because this is an educational hearing, formal rules of evidence do not apply. Every effort will be made to allow all pertinent information to be presented for consideration during the hearing (see section 11.7 Witnesses and Evidence).~~

12.2 Written Documents and Other Items

~~Parties planning to bring items to a hearing must generally provide copies of those items to the hearing officer or board chair 2 business days prior to the hearing to allow for a review of the items and development of any pertinent questions. The hearing officer or board chair may permit deviations to this time restriction as long as all parties have sufficient time to prepare for the hearing. Either party or their witnesses will be permitted to elaborate on written documents previously submitted.~~

12.3 Standard of Proof

In reaching a decision, only information produced at the hearing will be considered and evaluated using the "more likely than not" standard of proof.

12.4 Recommendation and Approval of Sanctions

In cases of code violations serious enough to warrant suspension or expulsion, the hearing officer or board chair will make a recommendation to the vice president of student affairs. When approval of the recommended sanction is received, the hearing officer or board chair will issue the written decision.

12.5 Decisions

~~The hearing officer of the administrative hearing will provide written notice of the findings to the student stating whether or not the Code of Student Conduct was violated. The written notice will include sanctions and terms and conditions for continued enrollment or re-enrollment, if any, issued by the hearing officer of the administrative hearing. The notice will generally be sent within 10 business days following the hearing. The dean of student life may grant time extensions, if necessary. Written decisions are generally rendered within 10 business days from the date of the hearing.~~

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~~13. Administrative Hearings~~

~~(In addition to the information provided in Section 12, the following statements specifically apply to administrative hearings.) An administrative hearing can result in a more timely resolution of the conflict and the involvement of fewer individuals.~~

~~13.15.8~~ . Administrative Hearings

~~An administrative hearing involves the accused student, hearing-conduct officer and any other individuals necessary to determine whether or not there has been a violation of university policies. The administrative-hearing-conduct officer is the NDSU representative assigned to process an alleged violation of university policies. At this hearing, the student has a right to make a written and/or oral statement describing the event(s) that led to the charges. An administrative hearing can result in a more timely resolution of the conflict and the involvement of fewer individuals.~~

~~13.2-Sanctions imposed following an administrative hearing may not include suspension or expulsion unless the student receives prior written notice that the case was serious enough to warrant suspension or expulsion, and the student voluntarily waived the right to a hearing by a complaint-conduct resolution board.~~

~~Insert current section 12.5 as amended to become part of 5.8 Administrative Hearings.~~

14. Complaint Resolution Board Hearings

~~(In addition to information provided in Section 12, the following statements specifically apply to board hearings.)~~

5.9 Conduct Board Hearing

14.1 Jurisdiction

A student shall be granted a hearing before a complaint-conduct resolution board to determine whether or not a specific behavior has violated the Code of Student Behavior-Conduct or related policies identified in the code, ~~if the;~~under the following circumstances:

- a) ~~Sanction-When a sanction~~ normally administered for such behavior-conduct might include suspension or expulsion from NDSU, ~~or~~
- b) ~~Student's-When a student's~~ prior behavior-conduct record, plus a finding of responsibility for the current alleged violation, might result in a recommendation for suspension or expulsion from NDSU; ~~or-~~
- c) When a conduct officer refers a case to a conduct board due to a possible perception of bias or for any other reason.

14.2 Pool Composition and Board Selection

The pool of potential members of a complaint-conduct resolution board may include ~~students, faculty and staff~~trained representatives from the student body, academic affairs and student affairs. The dean of student life or designee may draw upon this pool to constitute a board of at least three members.

~~The dean of student life may draw from the hearing pool to make substitutions as needed to avoid the delay of a hearing.~~

14.3 Board Chair

The dean of student life or designee will appoint a complaint-resolution-conduct board chair. The chair's role is to conduct-facilitate the hearing in an orderly fashion, determine whether evidence presented or questions asked are relevant to the proceeding, and assign appropriate sanctions if the accused student is found responsible for violating the code. Normally the chair does not ask questions during the hearing; however, if the chair believes that questions have not been asked that would help the board determine whether the accused student is responsible for violating the code, the chair may ask those questions.

14.4 Recording of Proceedings

All hearings of a complaint-resolution-conduct board will be recorded up to the point of the board's deliberations ~~necessary to render a decision~~, and will be retained as part of the student's file. In some situations, the chair of the board may recommend to the dean of student life that a video recording may be more appropriate than an audio recording. Notice will be provided to the student no less than 48-hours2 business days before the hearing. Access to the recording will be made available for the purpose of preparing an appeal. Requests for access should be directed to the Dean of Student Life Office.

14.5 Board Decisions

The board will determine, by a majority vote, whether or not the student violated one or more sections of this code. Following a finding of responsibility, the chair of the complaint-resolution-conduct board may choose to meet with the student to request additional information so that an appropriate sanction can be determined. The chair of the board will take into consideration any prior code violations when determining or recommending an appropriate sanction.

15. Complaint Resolution VI. Conduct Board Procedures

15.1-6.1 Introduction

With all parties present, the chair will call the meeting to order and will introduce members of the complaint-resolution-conduct board and their function within the university. ~~(The chair also will ask all other parties participating in the hearing to introduce themselves and identify their role in the proceedings.)~~

~~15.2-~~The chair will describe the general outline of the hearing to the board and will read the following-honesty statement:

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The university expects that all information presented in this hearing will be true and correct to the best of each person's knowledge. If students willfully provide false information, they will be in violation of NDSU's Code of Student ~~Behavior~~Conduct. As a result, they also may be subject to additional disciplinary action. Dishonest behavior by any faculty or staff members will be reported to supervisors for any necessary disciplinary action.

~~15.3~~ The chair will dismiss witnesses until they are called to speak before the board.

~~15.46.2~~ Complaint Presentation and Response

The chair will introduce the ~~complainant~~conduct officer who will present the case on behalf of the university, making additional comments necessary to ensure the complaint has been presented accurately and clearly. The ~~complainant~~conduct officer is an NDSU representative appointed by the dean of student life or designee.

~~15.5~~ The chair will introduce the accused student who will be permitted to respond to the charges and present information to the board that is relevant in determining whether the student violated one or more sections of the code.

~~15.6~~ At the chair's discretion, questions may be placed directly between parties. Permission to address parties directly may be withdrawn by the chair at any time.

~~15.76.3~~ Presentation of Witnesses

The ~~complainant~~conduct officer will be allowed to present witnesses who may be asked questions by the ~~complainant~~conduct officer, accused student, members of the board and dean of student life or designee. Questions may be directed to the chair who will determine relevancy to the proceeding, request clarification if necessary, ask if the respondent understands the question and request a response.

~~15.8~~ The accused student will be allowed to present witnesses who may be asked questions by the accused student, ~~complainant~~conduct officer, members of the board and dean of student life or designee. Questions may be directed to the chair who will determine relevancy to the proceeding, request clarification if necessary, ask if the respondent understands the question and request a response.

~~15.96.4~~ Final Questions

The ~~complainant~~conduct officer and accused student will be permitted to ask questions of each other.

~~15.10~~ Questions will be permitted by board members and dean of student life or designee, who may question either party.

~~15.11~~ At the discretion of the board chair, the ~~complainant~~conduct officer and accused student may be permitted to ask additional questions of each other.

~~15.126.5~~ Closing Statements

Both parties will have an opportunity for closing statements. The ~~complainant~~conduct officer will present first, followed by the accused student.

~~15.136.6~~ Deliberation and Decision

All parties will be dismissed for deliberations by the board. Only board members and the chair may ~~be present during~~participate in the deliberation and recording will stop at this point. The board chair may request a brief consultation with the dean of student life or designee for interpretation or clarification of the code.

~~15.14~~ ~~A complaint resolution~~The conduct board may suggest one or more sanctions and related terms and conditions from those listed in the code. Suggested sanctions are not binding upon the chair of the ~~complaint resolution~~conduct board who issues the final decision for the board and selects appropriate sanctions.

~~15.15~~ If the chair believes that suspension or expulsion is warranted, the chair will make this recommendation to the ~~vice president of student affairs~~dean of student life. When ~~approval of~~ the recommendation has been approved by the dean of student life, ~~is received it will be returned to the chair with the dean of student life's endorsement,~~ and the board chair will issue the written decision ~~as outlined in section 14.5~~.

~~15.16~~ The chair of the ~~complaint resolution~~conduct board will ~~send~~provide written notice of the board's findings to the student stating whether or not the Code of Student ~~Behavior~~Conduct was violated. The written notice will include sanctions and terms and conditions for continued enrollment or re-enrollment, if ~~necessary~~any, issued by the chair of a ~~complaint resolution~~conduct board. The notice will generally be sent within 10 business days following the hearing. The dean of student life may grant time extensions, if necessary.

Insert VII. Sanctions and Conditions as amended from current sections 10 through 10.2.6

~~16.~~VIII. Appeal Procedures

Students sanctioned for violations of this code may make one appeal. Cases resulting in suspension or expulsion are appealed to the vice president for Student Affairs, ~~of~~

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~~NDSU~~—All other appeals are addressed to the dean of student life, or an administrator of residence life, depending upon who served as the ~~complainant~~conduct officer.

~~16.1.8.1~~ **Deadline for Appeals**

The student must make an appeal of any decision in writing within five business days following the date the sanction notice is sent to the student via the NDSU email account. When necessary to utilize U.S. mail, students will be afforded 10 business days from the date of letter to submit an appeal. If hand-delivered, a notation of that date will be made in the student's behavioral-conduct file. In extraordinary circumstances, the dean of student life may grant time extensions. The university reserves the right, however, to reduce the time allowed for a student appeal in cases ~~which that~~ may have the potential to result in harm to persons and/or property. The reduced time for appeal will be specified in the decision letter of disciplinary sanction along with the rationale for allowing reduced time for an appeal. An appeal shall be written by the student and shall contain the student's name, date of the decision or action, and reason(s) for the appeal.

~~16.2.8.2~~ **Appeal letters-Letters**

Appeals must be submitted to the person-appeal officer specified in the decision letter and must specify in detail one or more of the following bases of appeal:

- The severity of the sanction was not consistent with the severity of the offense,
- The decision for nonaction/action/sanction was made in an arbitrary or capricious manner,
- The finding of the code having been violated was not substantiated by the evidence and/or
- The student's rights were violated. Those rights (specify those rights believed to have been violated) must be specified.

~~16.3.8.3~~ **Emergency Provisions**

Normally a properly filed notice of appeal suspends the imposition of sanctions until the appeal is decided; however, some emergency provisions may be sustained throughout the appeal to protect persons and/or property. Such provisions will be explained in the original letter to the student outlining the decision, along with the rationale for maintaining those emergency provisions throughout the appeal.

~~16.4.8.4~~ **Appeal Advisory Board**

The ~~president and the dean of student life~~appeal officer reserves the right to appoint an appeal advisory board to review appeals. In such instances, the appointed advisory board will make a recommendation that the ~~president and dean of student life~~appeal officer may accept or reject. The decision of the administrator will generally be issued within 10 business days of receiving the recommendation from the advisory board and that decision will be final.

~~16.5.8.5~~ **Review**

The appeals person/body-advisory board will review the written letter of appeal from the student and materials from the original hearing. In reviewing the appropriateness of sanctions, the student's entire conduct file may be considered. After reviewing these materials, the appeals person/body-advisory board may decide to do one of the following:

- Issue a decision based solely on the written materials,
- Issue a decision based on a review of written materials and discussion with the involved principals,
- Recall one or more witnesses,
- Return the case to the body conducting the original hearing for presentation of new evidence and reconsideration of the decision and/or sanctions.

~~16.6.8.6~~ **Decision/Sanction**

When the accused student makes the appeal, the appeals person/body-advisory board may uphold or lessen the original decision/sanction, but not increase the sanctions/actions imposed by other persons or ~~bodies~~advisory boards. The decision on the appeal will generally be made within 10 business days of receipt of the appeal, but may take longer during university recesses or in the event of complex cases, or when an advisory board has been appointed to make an appeal recommendation.

~~16.7.8.7~~ **Appeals by Accuser**

An appeals by the accuser may only be allowed when it is alleged that the accuser was the subject of a ~~crime of violence~~Title IX violation, including forcible and non-forcible sexual assaults, as defined in this code. In some cases, an accuser's appeal could result in a different decision and/ or stronger sanctions than originally imposed.

~~16.8.8.8~~ **Rehearings**

Rehearings will only be granted if there is substantial:

- Evidence to determine that the student was not afforded appropriate due process or
- New evidence that has been discovered about the alleged violation that was not available at the time of the earlier hearing.

IX. Special Circumstances and Conditions

~~17. Behavior Conflict~~X. Conduct Records

10.1 All ~~behavior conflict~~conduct records are confidential and may not be disclosed in whole or in part except as provided under law, including but not limited to, the Family Education Rights and Privacy Act (FERPA), the USA Patriot Act and lawful court orders.

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The ~~disciplinary-conduct~~ record shall be separate from the student's academic record, but shall be considered a part of the student's educational record. All ~~disciplinary-conduct~~ records shall be retained in the Dean of Student Life Office or other offices as authorized by the dean.

As provided under FERPA, information concerning code violations for alcohol and/or drugs may be shared with parents in accordance with the Parental Notification Policy. In addition, code violations may also be shared with some academic departments upon request and as necessary to fulfill their professional obligations. A memorandum of understanding exists that provides for full exchange of information concerning code violations by student athletes with the pertinent coaches and the athletic director.

Suspension and expulsion are the only completed ~~behavior-conduct~~ actions reflected on the official academic transcript of the student (see section ~~10.1.4 & 10.1.67.1~~). At the direction of the dean of student life, the registrar shall place on the student's permanent academic record the words "may not register for nonacademic reasons." When the student is determined eligible to return to NDSU following a suspension, the original transcript notation will remain and a new transcript notation will be added: "eligible for registration effective ..."

~~17.110.2 Behavior Conflict Records Retention and Destruction~~

~~17.1.1 Sanctions Less than Suspension or Expulsion~~

In cases in which students are found in violation and receive a sanction less than Suspension or Expulsion, with or without additional terms and conditions, all records related to that students' cumulative ~~behavioral-conduct~~ history will be retained for seven years from the date of the student's last ~~behavioral-incidentconduct violation~~. Student ~~disciplinary-conduct~~ records may be retained indefinitely at the discretion of the dean of student life.

~~17.1.2 Suspension or Expulsion~~

In cases in which students are found in violation and receive a sanction of suspension or expulsion, ~~disciplinary-conduct~~ records will be retained on a permanent basis.

~~17.1.3 Student Organization Records~~

Records of ~~behavioral-conflictsconduct violations~~ involving student organizations will be retained for seven years following the date of the incident. Student organization ~~disciplinary-conduct~~ records may be retained indefinitely at the discretion of the dean of student life.

FINAL NOTE Occasionally there are changes of staff titles mentioned in this document. The vice president for student affairs may make editorial changes relating to this document as long as the substance of the document is not affected.

Dean L. Bresciani, President

effective date

History:

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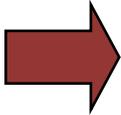
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Policy 352 Version 2 04/25/2014

Policy Change Cover Sheet

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



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

SECTION: **352 Promotion, Tenure, and Evaluation**

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandated change? Yes x No
 - Describe change: Changes to Policy 352 are inclusion of 'disability' in tenure-clock extensions; expectation to maintain confidentiality of such requests; timelines for tenure-clock extension requests; and clarification that candidates who receive tenure-clock extensions must not be subject to additional expectations.
 - New forms for processing tenure-clock extension requests/notifications and changes to portfolio cover page and outside letter of evaluation requests are also proposed. Removed link to General Counsel's office in Section 3.6.2 and added last sentence to paragraph in Section 3.6.5.
 - Proposed changes were presented in an open forum on 3/22/2013. Specific changes:
2. This policy was originated by (individual, office or committee/organization):
 - Submitted by: Office of the Provost/Provost Rafert (on behalf of and working with FORWARD Women Faculty with Disabilities Task Force chaired by Dean Peterson); Chris Wilson, General Counsel's Office
 - Date submitted: 10/21/2013; 03/26/14
 - Email address of the person who should be contacted with revisions: canan.bilen.green@ndsu.edu; christopher.s.wilson@ndsu.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Council:

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

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SECTION 352 PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

- 1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.
- 1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University, college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.
- 1.3 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

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2. UNIVERSITY PROMOTION, TENURE, POST-TENURE, AND EVALUATION: CRITERIA AND EVIDENCE

- 2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience.
- 2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off- campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

2.2.1.1 CRITERIA In the areas of teaching (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:

2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;

2.2.1.1.2 the continuous improvement of courses or instructional programs;

2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.

2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:

2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;

2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;

2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;

2.2.1.2.4 the dissemination of best practices in teaching;

2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

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2.2.2 RESEARCH

- 2.2.2.1 CRITERIA In the areas of research and creative activities (as defines above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:
 - 2.2.2.1.1 contributions to knowledge, either by discovery or application, resulting from the candidate's research, and/or
 - 2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.
- 2.2.2.2 EVIDENCE A candidate demonstrates quality of research by providing evidence of completed original work (i.e. published/in press, exhibited, or funded) from multiple sources such as:
 - 2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;
 - 2.2.2.2.2 juried or invited presentations or productions in the theater, music, or visual arts, design, and architecture;
 - 2.2.2.2.3 the development and public release of new products or varieties, research techniques, copyrights, and patents or other intellectual property ;
 - 2.2.2.2.4 peer evaluation of research by colleagues from an individual's discipline or area of expertise;
 - 2.2.2.2.5 the receipt of awards or special recognition for research ;
 - 2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

- 2.2.3.1 CRITERIA In the areas of service (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure and post-tenure review:
 - 2.2.3.1.1 contributions to the welfare of the department, college, university, or profession, and/or
 - 2.2.3.1.2 contributions to the public that make use of the faculty member's academic or professional expertise.
- 2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:

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- 2.2.3.2.1 the receipt of awards or special recognition for service;
- 2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;
- 2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;
- 2.2.3.2.4. active participation and leadership in University governance and programs at the department, college, university and system levels;
- 2.2.3.2.5. effective management or improvement of administrative procedures or programs.
- 2.2.3.2.6 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;
- 2.2.3.2.7 contributions to the operation of state or federal agencies.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and specific promotion and tenure criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

3. COLLEGE AND DEPARTMENTAL PROMOTION, TENURE, POST-TENURE, AND EVALUATION CRITERIA

- 3.1. Each academic unit is responsible for refining the University promotion, tenure, post-tenure, and evaluation criteria and applying those criteria within the special context of the unit. Thus, each academic unit will develop specific promotion, tenure, post-tenure, and evaluation criteria and designate the types of evidence to be used for evaluation of progress toward tenure, for renewal, promotion, and tenure decisions, and for post-tenure review. Within the framework of the University's promotion and tenure criteria, each academic unit shall specify the relative emphasis on teaching, research, and service, and the extent to which a faculty member's assigned responsibilities can be allocated among teaching, research, and service.
- 3.2. A statement of promotion, tenure, post-tenure, and evaluation criteria specific to each college shall be developed by the Promotion, Tenure, and Evaluation (PTE) committee of the college in consultation with the Dean and approved by the faculty of the college. The faculty of each department shall also develop a statement of criteria for promotion, tenure, post-tenure, and evaluation that shall be reviewed and approved by the college PTE committee and the Dean to assure consistency with the college promotion, tenure, post-tenure, and evaluation criteria. The college and departmental statements, and any subsequent changes, shall be reviewed and approved by the Provost/[Vice President for Academic Affairs](#)

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(Provost/VPAA) to assure consistency with University and State Board of Higher Education (SBHE) policies.

3.3. For probationary faculty, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit which were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured candidates for promotion to professor shall be evaluated by the criteria in effect at the time of application.

3.4. Faculty Hired Without Previous, Relevant Experience
For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

3.5 Faculty Hired with Previous Relevant Experience

A faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original hiring contract. Tenure recommendations and recommendations for appointment at the rank of Associate Professor or Professor for new hires (administrators or faculty with prior experience) are made by the respective Department and the College PTE Committee. The process of review is initiated by the Chair/Head.

There are two options:

3.5.1 Faculty may be given one to three years (maximum allowed) of credit. For example, given one year of credit, promotion and tenure application would be due in the fifth year of service; given three years, the application would be due in the third year of service.

3.5.2 Faculty may be given the full six year probationary period with the option of applying for promotion and/or tenure at any time following three years of academic service.

For either option, failure to achieve tenure will lead to a terminal year contract. Any exceptions to Section 3.5. Must be approved by the President.

3.6 Extension of Probationary Period

At any time during the probationary period but prior to the sixth year (or prior to the year in which the portfolio is due), a faculty member may request an extension of the probationary period not to exceed [a total of three years based on institutional, personal or family \(pertaining to a child, spouse/partner or parent, as described in NDSU Policy 320\) circumstances, personal illness or disability](#), which, according to reasonable expectations,

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impede satisfactory progress towards promotion and tenure. Faculty given promotion and tenure credit are also eligible for this extension. Faculty members are encouraged to request probationary period extension as soon as they recognize the need for extension. Written notification to the Provost must be submitted within one year of the beginning of the event for which the extension is requested and approved prior to July 1 of the year in which the tenure/promotion portfolio is due. A faculty member who submits an extension request during the academic year in which they are to undergo third year review must successfully undergo third-year review and renewal before any extension can take effect. The request must be in writing and will be submitted to the reviewed and forwarded sequentially with recommendation by the Chair/Head, Dean, and Provost/VPAA to the President-who will review the request and will approve or deny the request. Denial of an extension may be appealed under NDSU Policy 350.4, however, appeals will not be granted for requests that are submitted outside the required timeline for extension.-

3.6.1- Extension of Probationary Period for Childbirth or Adoption

A probationary faculty member who becomes the parent of a child (or children in case of twins, triplets, etc.) by birth or adoption, prior to the year in which the portfolio is due, will automatically be granted a one-year extension of the probationary period upon written notification to the Provost. Written notification to the Provost/VPAA must be provided by the Department Chair/Head and the Dean of the college within one year of the event and prior to the year in which the portfolio is due. While NDSU supports the use of the extension, the probationary faculty member has the option at any time after the birth or adoption to return to the original schedule of review. Any additional extensions beyond the one year (per birth/adoption occurrence, not to exceed three years total extension) must be requested under the provisions of 3.6 above. Extensions due to childbirth or adoption may not exceed three years. (Granting extensions does not increase expectations for performance.)

3.6.2 Extension of Probationary Period for Personal Illness or Disability

A probationary faculty member who experiences a personal illness or disability may request an extension of his/her probationary appointment. Medical documentation of the personal illness or disability is required. Such documentation shall be collected and housed by the Office of Human Resources/Payroll following guidelines provided in NDSU Policy 168. However, the Office of Human Resources/Payroll shall not make recommendations to the Provost pertaining to probationary period extension requests. The faculty member will grant the Provost access to Human Resources records relevant to the request by completing the Authorization for Release of Information http://www.ndsu.edu/fileadmin/generalcounsel/Forms-HIPAA/Authorization_for_Release_of_Information_01.doc available from the General Counsel's Office. The Provost shall maintain strict confidentiality of such documentation. Written notification of the request for an extension, along with supporting documentation, must be provided to the Provost.

3.6.3 Extension of Probationary Period for Institutional Circumstances

A probationary faculty member may be granted an extension of probationary period due to institutional circumstances, such as major disruption of work or faculty's

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ability to perform their duties beyond the reasonable control (e.g., natural or human-caused disaster, or lab-space unavailability) of the faculty member. Written notification of the request, along with supporting documentation, for an extension must be provided to the Provost.

3.6.4 Procedures for Initiating, Reviewing, and Approving Notifications/Requests for Extension of the Probationary Period

3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.

3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form. (*will provide direct link*)

3.6.4.5 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

Individuals involved in the extension of the probationary period process (which may include the supervisor, the Department Chair/Head, the Dean of the college, the Provost, and/or the Office of Human Resources/Payroll) have the responsibility of keeping information pertaining to the request confidential and not sharing such information with individuals not involved in the process. Medical documentation provided by a faculty member requesting extension of the probationary period shall be maintained in a confidential file separate from the employee's official personnel file in the Office of Human Resources/Payroll. Other written documentation and forms pertaining to the request/notification of extension of the probationary period

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shall be maintained in a confidential file separate from the employee's official personnel file in the Office of the Provost. It is understood that some information provided pursuant to this section may be subject to disclosure pursuant to North Dakota open records laws.

3.6.6 Granting of an extension does not increase expectations for performance. For instance if the department requires at least five refereed journal articles in the standard six year probationary period, and a faculty member receives an extension of the probationary period, then the department will still only require at least five refereed journal articles for that faculty member's probationary period.

Related Policies and Procedures:

Policy 156. Equal Opportunity Grievance Procedures
(<http://www.ndsu.edu/fileadmin/policy/156.pdf>)

Policy 168. Reasonable accommodation on the basis of disability - guidelines for employee requests (<http://www.ndsu.edu/fileadmin/policy/168.pdf>)

Policy 320. Faculty obligations and time requirements
(<http://www.ndsu.edu/fileadmin/policy/320.pdf>).

NDSU HIPAA Security Procedures- see http://www.ndsu.edu/general_counsel/hipaa/

Authorization for Release of Information:
http://www.ndsu.edu/fileadmin/generalcounsel/Forms-HIPAA/Authorization_for_Release_of_Information_01.doc

3.7 Each academic unit shall establish the criteria for promotion and tenure, including early promotion, as part of its statement on promotion, tenure, post-tenure review, and evaluation. ~~3.7 Each academic unit shall establish the criteria for promotion and tenure, including early promotion, as part of its statement on promotion, tenure, post-tenure review, and evaluation.~~

4. PERIODIC REVIEW

- 4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.
- 4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.
- 4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section

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350.3.

- 4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.
- 4.5 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review period. For probationary faculty, the report shall include an assessment of the faculty member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.
- 4.6 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.
- 4.7 The faculty member being reviewed shall have 14 days to respond in writing to the written report if the faculty member wishes to do so. The written report, and any written response from the faculty member, shall become part of the faculty member's official personnel file.

5. COMPOSITION OF PTE COMMITTEES

- 5.1. Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.
- 5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Faculty members being considered for promotion may not serve while under consideration.

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- 5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding administrative appointments, including those with interim status, are not eligible to serve. ("Administrative appointment" includes appointments as President, Vice President, Associate or Assistant Vice President, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, or Director of an academic unit.)

6. PTE PROCEDURES

- 6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee no later than November 1.
- 6.2 After November 1, the information that may be added to the portfolio is limited to
- Recommendations by the evaluating units considering the portfolio at that time;
 - the candidate's response to those recommendations;
 - any materials requested by the evaluators.
- 6.2.1 Candidates may petition the college Dean and PTE committee to add additional materials after the deadline. The Dean and PTE committee must both agree to the addition in order for additional material to be added.
- 6.2.2 Any additional materials added to the portfolio must pertain to information or material already in the portfolio, such as pending publications or grant proposals.
- 6.3 Unsolicited individual faculty input is limited to the department level of review.
- 6.4 Recommendations and any other materials collected as part of the evaluation process at the department, college, and university levels must be added to the candidate's portfolio before being sent forward to the next level of review. At the time that any written materials are added to the candidate's portfolio, copies of the added material must be sent to the candidate for review. The candidate shall have 14 calendar days to respond in writing to the additional materials. Any response from the candidate to such materials must be in writing and must be included in the portfolio for review at the next level.
- 6.5 Allegations of misconduct discovered after November 1 that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.
- 6.6 Colleges and departments shall document that they have followed all procedures; e.g., by a comprehensive checklist of the steps in the PTE process. The documentation must be included in the portfolio.

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- 6.7 The College PTE Committee and the College Dean shall separately and independently review and evaluate the candidate's portfolio without discussion or communication.
- 6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the [Provost/VPAAProvost](#) by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.
- 6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the [Provost/VPAAProvost](#) by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.
- 6.10 The [Provost/VPAAProvost](#) shall review the candidate's materials and the recommendations of the department, college PTE Committee, and College Dean. The [Provost/VPAAProvost](#) shall make a recommendation in writing, including an explanation of the basis for it, by March 31, to the President. Copies of the [Provost/VPAAProvost](#)'s written recommendation shall be sent to the candidate, the department chair/head, the College Dean, and the College PTE Committee. The [Provost/VPAAProvost](#) may solicit input from a nonvoting advisory committee consisting of tenured, nonadministrative faculty representing each college.
- 6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.
- 6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.
- 6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

- 7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.
- 7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

Electronic copies of portfolios shall be maintained by the appropriate college for the length of time specified by the university records management policy. Disposal of these documents, as well as filing of archival copies, will also conform to the university records management policy.

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Fargo, ND 58108

North Dakota State University

May 12, 2014

Attachment 11

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011

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Bylaws

Article I: Faculty Senate Membership

Section 1.

Each representation unit shall have one elected senator for every fifteen eligible faculty (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the Fargo Campus as of October 1 of each year. Faculty members in the Agriculture Experimental Station and the NDSU Extension Service shall be counted in and vote with their assigned representation unit.

Section 2.

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

Section 3.

The following are considered representation units for the purposes of determining Faculty Senate seats:

- a. College of Agriculture, Food Systems, and Natural Resources
- b. College of Arts, Humanities, and Social Sciences
- c. College of Business
- d. College of Engineering
- e. College of Human Development and Education
- f. College of Pharmacy, Nursing, and Allied Sciences
- g. College of Science and Mathematics

Section 4.

The Faculty Senate President with the assistance of the Secretary of the Senate will stagger Senate terms so that approximately 1/3 of the senators from each representation unit are elected each year. Each unit shall hold a meeting to elect the necessary senators by April 15 of each year.

Section 5.

Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected senator shall be three years. Senators cannot be reelected for consecutive terms.

Section 6.

If a senator must vacate her or his seat, the vacancy shall be filled by a special election within the unit from which she or he was elected. The term of a member under these circumstances shall commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

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Section 7.

A senator may be removed from office by way of a two-thirds majority vote at a regular Faculty Senate meeting, followed by a 2/3 majority vote at the next meeting. . This action may never be part of a consent agenda.

Section 8.

All senators are expected to:

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

Article II: Organization and Faculty Senate Operation

Section 1.

Administrative officers of the Faculty Senate consist of the President and the President-Elect.

Section 2.

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

Section 3.

At the end of the term, the President-Elect will succeed the President for a one-year term of office.

Section 4.

During their respective terms the President-Elect and the President will not represent her or his representation unit.

Section 5.

Removal of the President or President-Elect requires a 2/3 vote at a regular Senate meeting, followed by a 2/3 vote at a special meeting of the Senate not more than 2 weeks after the first meeting. In the event that the President is removed, the President-Elect will assume the role of President and will continue as President until the President-Elect's original term is concluded. In

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the event that the President-Elect is removed, the Senate will vote to replace the President-Elect at the next regular meeting of the Senate. These actions may never be part of a consent agenda. The removed officer shall not complete her or his term as a Senator.

Section 6.

Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Faculty Senate in consultation with the Senate Executive Committee.
3. Serve on the Senate Coordinating Council.
4. Chair the Senate Executive Committee.
5. Introduce the President at the State of the University Address.
6. Appoint committee members, as outlined in Articles IV and V.
7. Coordinate the dissemination of information relating to Senate activities.
8. Represent the Faculty Senate on administrative councils.
9. Provide the Secretary of the Senate and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Submit policies or actions approved by the Faculty Senate to the University President for consideration.
11. Moderate the official faculty listserv.

Section 7.

Duties of the President-Elect shall include the following:

1. Assist the President in executing the duties of the office.
2. Serve as President during any absence by the President.
3. Serve on the Senate Executive Committee.
4. Serve on the Coordinating Council.
5. Represent the Faculty Senate to the Staff Senate and the Student Government.

Section 8.

The University Registrar shall be the Secretary of the Senate; the Secretary of the Senate is not a voting member of the Senate. The duties of the Secretary shall include:

1. Acquire the agenda and related attachments, if any, from the President, then prepare and disseminate the agenda in accordance with Section 13.
2. Maintain a current roster of senators and record attendance to confirm a quorum.
3. Collect and read the member substitution authorizations at the meeting.
4. Record, prepare and disseminate meeting minutes according to Section 15.
5. Schedule a room for all Faculty Senate meetings.
6. Maintain a permanent record of Faculty Senate minutes.
7. Maintain a permanent record of annual reports submitted by the President and chairs of Faculty Senate committees.
8. Maintain records of standing committee membership.
9. Prepare updated versions of the Constitution for distribution.

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10. Archive all past versions of Constitutions and Bylaws.
11. Verify the eligibility of senators and committee members.

Section 9.

Regular meetings of the Senate shall be held at 3:30 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or state holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 10.

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

Section 11.

Meetings of the Faculty Senate shall be open to the public. At each Senate meeting the President of the University, the Provost, the Student Body President, and the Staff Senate President will be invited to make announcements. The Faculty Senate President may allow other non-senators to speak and/or provide reports. However, only senators may make motions and only senators may vote on motions before the Senate.

Section 12.

Faculty Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Faculty Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

Section 13.

The primary business of the Faculty Senate is to review, propose, and approve of policy with respect to the following matters:

- a. Academic freedom, including rights and responsibilities.
- b. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
- c. Research and scholarship.
- d. Admissions standards and prerequisites.
- e. Requirements for regular certificates and degrees.
- f. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.
- g. Teaching quality.
- h. Professional standards and criteria for positions accorded academic rank.
- i. Policies and procedures for promotion, tenure, and evaluation.
- j. And other academic matters.

The agenda for each regular meeting shall be posted to the Faculty Senate website at least one week before each meeting. Any member of the Faculty Senate may request of the President of

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the Faculty Senate that an item be placed on the agenda. The order of business for Faculty Senate meetings shall be as follows:

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

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

1. Approval of the minutes of the previous meeting.
2. Announcements.
3. Consent agenda.
4. Planning and prioritizing Faculty Senate action for the year.
5. Adjournment.

The President, in consultation with the Executive Committee, may add an urgent piece of new or committee business to this meeting if the timing is critical.

Section 14.

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

Section 15.

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

Article III: Senate Committees

Section 1.

Duties of standing committees include:

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

Section 2.

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

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Section 3.

Committees shall determine their own procedural rules. However, no committee shall conduct business without a majority of members present. Each committee will keep such records as necessary to conduct business. In addition, every Faculty Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress (5 minutes) at the May meeting of the Faculty Senate or, at the President of the Faculty Senate's request, submit a written report at the end of the academic year.

Section 4.

Individual representation units will determine their own methods for selecting members of standing committees consistent with Articles IV and V. Such membership shall be presented to the Faculty Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last senate meeting of spring semester, unless otherwise specified.

Section 5.

After the Faculty Senate has approved membership in the Standing Committees, each committee will meet and elect a chair, who will communicate all committee business to the Senate.

Section 6.

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

Section 7.

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

Article IV: Faculty Senate Standing Committees

Section 1. Academic Affairs

1. Voting members shall consist of one faculty member, with the rank of full or associate professor, from each of the representation units, a representative of the Dean of Graduate and Interdisciplinary Studies, and two students.
2. Non-voting members shall consist of the Provost (or designee) and the University Registrar.
3. Committee responsibilities include:
 - a. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges
 - b. Recommending policies for the evaluation of transfer credit
 - c. Recommending policies for graduation
 - d. Recommending candidates for graduation

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- e. Recommending the scheduling of policies for the efficient utilization of classrooms and laboratories

Section 2. Academic Integrity

1. Membership shall consist of one tenured faculty member with the rank of professor from each representation unit. If a full professor is not available, an associate professor may be appointed.
2. Committee responsibilities include:
 - a. Providing investigative assistance on cases involving academic misconduct as described in Policy 326.
 - b. Selecting panels of three persons competent to investigate allegations; such panels may include members from outside the University.
 - c. Reviewing and recommending policies on academic integrity.

Section 3. Budget

1. Voting members shall consist of one faculty from each representation unit, and a representative of the Dean of Graduate and Interdisciplinary Studies.
2. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance (or designee).
3. Committee responsibilities include:
 - a. Becoming familiar with the university budget process.
 - b. Developing a set of guiding principles which align with strategic priorities, with the intent of informing university budget decisions from a faculty perspective.
 - c. Soliciting input regarding the budget process from a wide range of faculty and on an ongoing basis.
 - d. Serve as a resource for the Provost in budget matters.
 - e. Acting as a conduit of information between faculty and administration for budget discussions and decisions.

Section 4. Conflict of Interest Advisory

1. Committee membership shall consist of five tenured faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President.
2. No two committee members may have primary appointments in the same representation unit.
3. Committee responsibilities include:
 - a. Serving as an advisory body to the administration on the issue of Conflict of Interest.
 - b. Initiating and reviewing policies concerning Conflict of Interest and making recommendations regarding such policy at the Faculty Senate.
 - c. Hearing and ruling on appeals of decisions in conflict of interest cases.
 - d. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 151.1.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement, first considering those who have previously served on the committee.

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Section 5. Council of College Faculties

1. Membership shall consist of three faculty members elected to staggered three-year terms.
2. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Council of College Faculties.
3. Responsibilities and procedures of the Council of College Faculties are determined by the Constitution and Bylaws of the Council.

Section 6. Equity and Diversity

1. Voting membership shall consist of five faculty members and a faculty representative from the Commission on the Status of Women Faculty recommended by the Faculty Senate Executive Committee and appointed by the Faculty Senate President. The Executive Committee shall strive for representation from diverse groups.
2. Non-voting membership shall consist of a representative from the office of the Vice President for Equity, Diversity, and Global Outreach.
3. Committee responsibilities include:
 - a. Reviewing, revising and proposing policies to ensure that rights and considerations of diverse groups or faculty are included in NDSU policy, practices, and procedures.
 - b. In particular, the committee will explore and identify ways that NDSU can be more inclusive for diverse faculty including women, people of color, and sexual minorities (e.g., lesbian, gay, bisexual, or transgendered).

Section 7. Executive Committee of the Faculty Senate

1. Voting membership shall consist of one senator from each representation unit, the President, the immediate Past President, and the President-Elect. In the event the immediate Past President is unable or unwilling to serve, the President will appoint another past President as a replacement for the immediate Past President on the committee. The term of office shall be for one year following the regular May meeting.
2. Non-voting membership shall consist of the Dean of Graduate and Interdisciplinary Studies, the Provost (or designee), a faculty representative from the Commission on the Status of Women Faculty, the Faculty Senate Secretary, and the parliamentarian. The term of office of all members of Executive Committee shall be for one year following the regular May meeting.
3. During the first week of the fall semester, the Executive Committee shall meet and organize for the academic year.
4. Committee responsibilities are the following:
 - a. Delegating tasks to Faculty Senate committees.
 - b. Reviewing the progress of Faculty Senate committees.
 - c. Setting the agenda for upcoming Faculty Senate meetings.
 - d. Interpreting, when necessary, provisions of the Faculty Senate Constitution and Bylaws.

Faculty Senate Minutes

Section 8. Faculty Affairs

1. Membership shall consist of one faculty member from each representation unit, a non-voting faculty representative from the Commission on the Status of Women Faculty, and a non-voting representative of the Dean of Graduate and Interdisciplinary Studies.
2. Committee responsibilities include:
 - a. Reviewing policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching and service.
 - b. Reviewing and recommending revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.

Section 9. Faculty Rights

1. Membership, responsibilities, and procedures are determined by directives of the North Dakota State Board of Higher Education.
2. Membership consists of five members, from different representation units, elected for five-year terms by the faculty. Membership is restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
3. Each spring the faculty shall elect by secure electronic ballot a faculty member to serve on the Standing Committee on Faculty Rights. Committee members' terms will begin and end on August 15.
4. In the event that a member of the committee recuses himself/herself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case, preferably a faculty member who has the remainder of the term after considering those who have previously served on the committee. Broad representation, while a worthwhile goal, is not always achievable. However, the replacement member should be from a different representation unit than the other four members if reasonably possible.
5. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.

Section 10. General Education

1. Voting membership shall consist of one tenured faculty member from each representation unit, a representative from the Assessment Committee, and two students selected by the Student Government.
2. Non-voting members shall consist one representative from each of the following: the NDSU Library, Registration and Records, and the Provost (or designee).
3. Committee responsibilities include:
 - a. Ensuring that existing courses and experiences meet general education requirements.
 - b. Developing criteria and procedures for submitting, evaluating, and approving courses and experiences that meet general education requirements of NDSU and the Higher Learning Commission of the North Central Association of Colleges and Schools.
 - c. Developing criteria and procedures for submitting, evaluating, and approving courses or experiences that meet the general education requirements for integration into students' curricula.

Faculty Senate Minutes

- d. Coordinating and recommending actions to the Faculty Senate on proposals for approving general education courses.
- e. Providing periodic assessment of students' attainment of intended student outcomes in general education.
- f. Studying, coordinating, and recommending to the Faculty Senate policies and procedures for continuing improvement in general education.
- g. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 11. Grade Appeals Board

The purpose of this Board is to provide an avenue for students to challenge any grade they believe to have been unfairly assigned. Membership shall consist of one faculty member and one alternate from each representation unit, the Associate Vice-President of Academic Affairs, a representative of the Dean of Graduate and Interdisciplinary Studies, three students and three student alternates selected by the Student Government. The Associate Vice-President of Academic Affairs will serve as Board Chair, and Policy 337 governs process.

1. Faculty shall be elected for three-year terms by their representation unit.
2. Students should be full-time students with a minimum 2.00 cumulative grade point average and junior standing.
3. Committee responsibilities include:
 - a. Hearing charges of inequitable or prejudiced academic evaluations and to provide redress for improper evaluation.
 - b. Acting in accordance with procedures approved by the Faculty Senate, specifically Policy 337.

Section 12. Program Review

1. Membership shall consist of one tenured faculty member from each representation unit, the immediate past president of the Faculty Senate, the Dean of the College of Graduate and Interdisciplinary Studies, the Provost (or designee), and two students selected by the Student Government. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
2. Committee responsibilities include:
 - a. Developing criteria and procedures for review of academic programs.
 - b. Performing a continuing review of graduate and undergraduate academic programs with regard to such factors as mission, need, quality, cost, and contribution to other programs.
 - c. Addressing concerns and making recommendation to the Faculty Senate regarding duplication of programs and courses.
 - d. Recommending policies for University support to individual programs.
 - e. Coordinating the time of and use of external program reviews by accrediting agencies and/or other expert evaluators in its review of specific academic programs.

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Section 13. Research & Consulting

1. Voting membership shall consist of one faculty member from each representation unit and a representative of the Dean of Graduate and Interdisciplinary Studies.
2. Non-voting membership consists of a representative of the Vice President for Research, Creative Activities, and Technology Transfer.
3. Committee responsibilities include:
 - a. Initiating and reviewing policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.
 - b. Reviewing research development programs and providing technical and funding reviews for faculty proposals submitted to the development programs.

Section 14. Technology and Instructional Services Committee

1. Voting membership shall include one faculty member from each of the representation units and a representative of the Dean of Graduate and Interdisciplinary Studies.
2. Non-voting membership shall include one representative from Information Technology Services (ITS).
3. Committee responsibilities shall include:
 - a. an annual review of ITS support services to the NDSU teaching and research communities.
 - b. making recommendations for Faculty Senate approval of any changes proposed by ITS regarding policy, implementation procedures, or classroom and instructional technologies.
 - c. formulating recommendations regarding needs of the faculty that are unmet by ITS.
 - d. serving as the liaison between the Faculty Senate and ITS administration.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership shall consist of two representatives each from the Faculty, Student, and Staff Senates, the Faculty Senate President, the Staff Senate President, and the Student Body President.
2. Non-voting membership shall consist of the Provost (or designee), the Vice President for Student Affairs (or designee), the Vice President for Finance and Administration (or designee), and representatives of one of these Vice President's offices, one of whom will facilitate meetings and one of whom will maintain records. The Vice President's offices will rotate responsibility for calling meetings and maintaining records every three to five years. The coordinating council may decide to invite policy initiators to the meetings as nonvoting members to explain policy changes.
3. Committee responsibilities include:
 - a. Reviewing policy to determine first whether it is ready to bring to any of the Senates or whether it should be returned to the policy makers for clarification and revision.
 - b. Coordinating the distribution of policies to the appropriate senate body consistent with the Faculty Senate, Staff Senate, and Student Government Constitutions.

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- c. Sending policies that have been voted on to appropriate channels at NDSU for final approval.
- d. Serving in a liaison capacity regarding the Faculty Senate, administration, Staff Senate, and Student Government.

Section 2. Campus Space & Facilities

1. Voting members shall consist of one faculty member from each representation unit, three staff members appointed by the Staff Senate, three student members (graduate, undergraduate, and on-campus) appointed by the Student Government, a representative of the College of Graduate and Interdisciplinary Studies, the Provost (or designee), the Registrar, and the Vice President for Finance and Administration (or designee).
2. Non-voting members shall consist of the Director of Facilities Management, the Chair of the Department of Architecture and Landscape Architecture, the Assistant to the Director of the North Dakota Agricultural Experiment Station, and a representative of the Dean of Libraries.
3. Committee responsibilities include:
 - a. Provide for the systematic development and review of the “Campus Master Plan” and Guidelines for Campus Development.
 - b. Recommending policies and procedures to meet the current and future needs for all physical facilities and reviewing changes in University space allocation including classrooms and laboratories.
 - c. Reviewing proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.
 - d. Recommending policies for site location for new buildings and for overall landscaping.
 - e. Recommending traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.
 - f. Recommending plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Membership shall consist of one faculty member from each representation unit, one undergraduate and one graduate student appointed by the Student Government, a staff member appointed by the Staff Senate, a representative from Information Technology Services, a representative of the Dean of Graduate and Interdisciplinary Studies and the Dean of Libraries.
2. Committee responsibilities include:
 - a. Formulating policy recommendations for the NDSU Libraries.

Section 4. University Athletics

1. Membership consists of one faculty member from each representation unit, two students, the Student Body Vice-President, the President of the Student-Athletes Advisory Council, two representatives of the Staff Senate, the Director of Intercollegiate Athletics, the Director of Intercollegiate Women’s Athletics, the Vice President for Equity, Diversity, and Global Outreach (or designee), and the Faculty Athletic Representative.

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2. The University Athletics Committee serves as the NDSU Athletics Advisory Board as described in the constitution of the National Collegiate Athletics Association (NCAA).
3. Committee responsibilities include:
 - a. Promoting compliance with principles of conduct as defined by the NCAA.
 - b. Acting as the Board of Appeals for athletic grievances.
 - c. Initiating and reviewing policies concerning University Athletics and making recommendations for consideration of said policy to the Faculty Senate. Such areas of concern include Guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, eligibility of athletes.
 - d. Reviewing upcoming issues at intercollegiate conference meetings and recommending institutional positions.
 - e. Reviewing the budget of the athletic programs prior to its approval by the University President.
 - f. Stimulating interest in athletic events throughout the University community.

Section 5. Equal Opportunity Hearing Panel

1. Membership shall consist of six faculty members appointed by the Faculty Senate President in consultation with the Senate Executive Committee, six students appointed by the Student Government President, and six Staff members appointed by the Staff Senate President.
2. Each President shall strive for diverse representation (gender, ethnicity, etc) in her/his group of appointees.
3. Committee responsibilities include:
 - a. Acting in accordance with procedures and policy approved by the Senate, specifically Policy 156.

Section 6. University Assessment

1. Membership shall consist of one faculty member from each representation unit, a representative from the General Education Committee, a representative of the Dean of Graduate and Interdisciplinary Studies, the Provost (or designee), one undergraduate student, and one graduate student appointed by the Student Government, a representative from the Division of Student Affairs, a representative from the NDSU Extension Service, a representative from the Office of Institutional, Research and Analysis, a representative from Distance and Continuing Education, and the Director of the Office of Accreditation and Assessment.
2. Committee responsibilities include:
 - a. Periodically reviewing the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and in the NDSU Extension Service.
 - b. Developing procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs, and the NDSU Extension Service on their assessment activities.
 - c. Providing feedback and assistance to departments and other academic units on their assessment activities.

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- d. Providing a yearly summary of assessment activities to the Faculty Senate, The Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

Article VI: Amending the Bylaws

Section 1.

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

Section 2.

The Secretary of the Faculty Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Faculty Senate votes to consider the amendment at their next regular meeting.

Section 3.

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

Section 4.

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

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

May 12, 2014

Attachment 13

RESOLUTION EXPRESSING GRATITUDE TO KRISTI WOLD-MCCORMICK

WHEREAS, as NDSU's Registrar, Kristi Wold-McCormick has served as the Secretary of the Faculty/University Senate from 2002 to 2014; and

WHEREAS, she has performed her duties in this role with the utmost professionalism, thoroughness, and thoughtfulness.

NOW, THEREFORE, BE IT RESOLVED that NDSU's Faculty Senate expresses its profound gratitude to Kristi Wold-McCormick for the length and quality of her service.

BE IT FURTHER RESOLVED that NDSU's Faculty Senate wishes her success in her new position as Registrar at the University of Colorado Boulder.

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

May 12, 2014

Attachment 14

Resolution on required oath for NDSU Faculty

WHEREAS North Dakota Century Code Section 15-10-13.2 requires that “every faculty member employed by an institution of higher education under the control of the state board of higher education shall take the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the state of North Dakota, and that I will faithfully discharge the duties of my position, according to the best of my ability.”

WHEREAS Section 28 of the Constitution of the state of North Dakota states that “Marriage consists only of the legal union between a man and a woman. No other domestic union, however denominated, may be recognized as a marriage or given the same or substantially equivalent legal effect.”

WHEREAS NDSU is committed to diversity and inclusion as reflected in our non-discrimination policy.

NOW, THEREFORE, BE IT RESOLVED that NDSU’s Faculty Senate proposes that any oath or affirmation to support the North Dakota Constitution (required as a condition of employment) include a statement that the individual employee or potential employee has the right to make a "conscientious objection" to that oath ~~specifically related to the separation of church and state and equal protection under the law~~, and space for an individual to do so as part of the contract or separate oath/affirmation paperwork.

BE IT FURTHER RESOLVED that NDSU’s Faculty Senate ~~proposes that all~~ encourages that ~~advertisements~~ online application for open faculty or academic positions at NDSU contain the following specific language:

“As a condition of employment, North Dakota State University requires United States Citizens to make an oath or affirmation of support the Constitution of the United States of America and to the Constitution of the State of North Dakota. The following link is provided for you to review the Constitution of the State of North Dakota: <http://www.legis.nd.gov/constitution> .”