NORTH DAKOTA STATE UNIVERSITY

STAFF SENATE MEETING: SEPTEMBER 8, 2004 MINUTES

Approved by the Staff Senate Exec Committee on 9/29/04

Approved by the Staff Senate on October 20, 2004
Visit the Staff Senate Web Site at:
www.ndsu.nodak.edu/staff_senate

Full Staff Senate meetings are held the second Wednesday of each month from 9:30-10:30 a.m.
The Executive Committee meets on the fourth Wednesday of each month from 9:30-11:00 a.m.

Upcoming Staff Senate Meetings:

October 20, 2004	9:30-10:30 a.m.	Prairie Rose Room, Memorial Union
November 10, 2004	9:30-10:30 a.m.	Prairie Rose Room, Memorial Union
December 8, 2004	9:30-10:30 a.m.	Prairie Rose Room, Memorial Union

Upcoming Executive Committee Meetings:

September 29, 2004	9:30-11:00 a.m.	Badlands (365), Memorial Union
October 27, 2004	9:30-11:00 a.m.	Badlands (365), Memorial Union
November 24, 2004	9:30-11:00 a.m.	Badlands (365), Memorial Union
December 29, 2004	9:30-11:00 a.m.	Badlands (365), Memorial Union

All broadbanded staff are encouraged to attend.

1. **Meeting called to order:** In the absence of President Susan Bornsen, Janine Trowbridge, President-Elect called the meeting to order, and welcomed everyone in attendance.

   Membership: (Cindy Kozojed) Everyone was reminded to check in on the sheets at the back table.

   For today's meeting **–** September 8, 2004, (49 present, 16 absent) there is a quorum. Welcome to returning senator Jeff Schwartz who is replacing Mary Glessner.

   Substitutions – Kim Lammers for Sheree Kornkven and Aubrey Ketterling for Letha Cattanach. Babett Patton from the office of TRIO Programs attended as a guest.

   •Mentors please remind your mentee to attend the meetings and answer any questions they might have.

   •Janine mentioned she was wearing the latest COSE (Council of State Employees) shirt, which can be found for sale on the COSE website.

   • Pam Hommen was presented with a plaque honoring her for her time and commitment as President of Staff Senate.

   •Janine introduced President Joseph Chapman. President Chapman updated the Staff Senate on NDSU enrollment, the new projects on campus, and he went over the handout that was on the tables. He also went over the goals that were set six years ago and how they've been met. President Chapman mentioned the constant, positive feedback he receives about the NDSU staff and their commitment to the University. This year he will again visit with all of the departments on campus. President Chapman answered questions from the floor before leaving for another appointment. He said he'd be happy to come back and visit with us again at another meeting.

   •There will be an organizational meeting of Weight Watchers at 2:30, Thursday (9/9/04) in the Peace Garden Room of the Memorial Union. Information will be disturbed on the location/times, etc. of the meetings.

   •Committee chairs please email your committee reports to Barb.Geeslin@ndsu.nodak.edu.

   • A campus-wide NDSU calendar of events is being worked on.

2. **Review and approval of the June 9, 2004 Staff Senate minutes: Jane Lessard made a motion** to approve the June Staff Senate meeting minutes. **Cindy Kozojed seconded the motion**. The minutes were approved by an aye vote.

3. **Treasurer's Report: (**Gina Haugen) Before committing funds, please consult with the Treasurer (1-6177, gina.a.haugen@ndsu.nodak.edu) or the President (1-6339, susan.bornsen@ndsu.nodak.edu).

   Fund 1725: $4106.52

   Fund 3746: $1151.00

4. **Committee Reports:**

   Election (Pam Hommen) An election was held for a staff representative on the University Senate's Faculty Personnel Committee. Janine explained the responsibilities of this committee. A staff person is being added due to the need for a staff ombudsman on campus.

   Candy Skauge was nominated**.   Sharon Morgan moved to close nominations. Cindy Kozojed seconded.** Candy was elected with a unanimous voice vote.

   Legislative Committee: (Jane Lessard) See attached. President Chapman touched on the items that Jane was going to report.

   Public Relations: (Tammy Helwig) Some of the activities the committee is working on are:

Holiday Blood Drive December 1 & 2 outside the Memorial Union

Ring the bell on campus for the Salvation Army-working on dates. They do not have a coordinator possibly not until October or November

Possible see stress balls/bricks/footballs the theme could be something with Connect ND or Division 1

Starting a quarterly newsletter to focus on campus and staff. Some article will be "Meet the Staff", Questions and Answer section, articles from HR, Legislature, Parking, etc. Also would like to have a section on trivia or tidbits were they would need to go to our website for the correct answer. Right now it will be electronic version, checking on funding for a printed version

Earth Day next spring work together with Student Senate on some activity on campus.

We had a Campus Kudos award winner, Ron Koehler from Facilities Management. He is an equipment operator. The Library nominated him for the hard work he does for them.

Other things we are working on but do not have enough of it confirmed to announce:

Checking with ITS to see if we (Staff Senate) can help co-sponsor their annual Silent Auction. The money they raise goes to United Way. If we can, look at getting a larger room in the Memorial Union.

Clothing Drive for Dress for Success.

Staff Development: (Paula Larson) The committee is looking at different possibilities for staff development activities. A survey was passed out asking for the top three employee benefits that we would like to see offered.

Policy Coordination Committee: (Janine Trowbridge) See attached policies. Janine explained each and asked for input on 103, 158, and 710. The others are for information only, however, if you see something that you feel needs clarification or possibly changing, please email Janine. Susan Bornsen wanted mentioned that we're asking for clarification on Policy 339 – concerning the TOEFL score. The policies become effective when the President approves them.

Aboretum Committee: (Gretchen Bromely) Gretchen mentioned the building of the new fountain area next to South Engineering. Consideration is being given to putting life size bison in the space. There is discussion on whether they should be realistic or artistic looking. Please let Gretchen know if you have an opinion on this matter.

COSE (Sharon Morgan/Cindy Kozojed) The board had a meeting in Dickinson in July. They will be approaching the Governor to fund the newsletter expenses (in order to send non-electronic copies out). There were five FISH nominees from NDSU – Tom Bremer, Barb Welk, Karla Tennes, Sharon Morgan, and Candy Skauge. Candy Skauge was chosen as the quarterly State-Wide FISH Award winner. Candy was presented with a certificate and a shirt. Sharon mentioned that next week is State Employee Recognition Week. Tuesday, 9/14 is Family Fun Night at Playmakers. Please get your tickets and plan to attend this fun event. Other activities are planned throughout the week – a calendar of events will be sent to everyone. Sharon thanked the staff senate for sponsoring the "Ice Cream Break" on Friday (9/17) afternoon.

5. **Old Business:**

B-Parking Lot: (Pam Hommen) Pam mentioned the email everyone received from Bruce Frantz about installing the barrier in Parking Lot B. Vice President Dick Rayl sent his thanks to the staff for the time and effort they put into this issue.

Dining Services (Susan Council) See the attached report from the meeting of the Ad Hoc Committee. Susan briefly explained the report.

6.   **New Business:**
        Mission Statement: (formation of Ad Hoc Committee) The following people have agreed to serve on the committee: Gretchen Bromley, Paul Macintosh, Pam Hommen, Irene Askelson, and Brenda Jacobson. If anyone else is interested in serving on this committee let Janine know.

7.   **Advisor Comments**: **(Broc Lietz)** Broc explained that the payback of the advance is taken from the gross therefore it doesn't show up as a deduction. It comes off the top on a pre-tax basis before it gets processed.

        Roxann Williams made a motion to adjourn**. Jane Lessard seconded the motion**. Motion carried with a voice vote.

        Respectively Submitted:

        Barbara Geeslin

Legislative Committee Report

The 2005 legislative session will begin January 2005 and run until April 2005.

The committee will meet the first and third Monday each month, during lunch in the Memorial Union Atrium room beginning the first Monday in January. Once a schedule has been set, one will be provided to all the committee members.

The Governor has committed 21% of the State budget to Higher Ed.

Equity between research institutions will be requested of the Governor as Equity is an item on his budget.

NDSU is getting ready to erect a chemical storage facility.

NDSU is anticipating a 4% across the board increase for the next biennium.

NDSU will be addressing the faculty student ratio.

September 17, 2004 is the Grand Opening of NDSU downtown.

The Memorial Union and Wellness Center expansions will be on NDSU's agenda to request permission from the legislature.

The Business building is anticipating breaking ground in the spring of 2005. If necessary an expansion request will be made of the legislature.

The Legislature binder is missing. Janine will try to assemble another one for the committee.

POLICY CHANGE COVER SHEET

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

   Section 103 - EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY ON THE

   ANNOUNCEMENT OF POSITION OPENINGS

   This revision includes two changes to this policy:
   1) it adds a clarification to 4.9 of the policy about how the spouse/partner of a potential or actual new employee may register interest in the spousal/partner exception to the normal search process for employment.
   2) Adds a new section to the policy (4.11) to allow new faculty members to bring a postdoc(s) with them but stipulates that the postdoc cannot be appointed to another NDSU position without going through the usual recruitment/selection process.

   The revision also makes clear the department/unit administrator's responsibility to assist a potential new employee with the process for a spouse/partner to register their interest in employment at NDSU.

   These revisions address issues that have arisen in the past several months.

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

   Policy Committee – July 21, 2004

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

   Equal Opportunity Director

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

SOURCE: NDSU President

The following policy has been developed after consultation with the
University Attorney, the Director of Human Resources, the Director of
Equal Opportunity, and the President's Council. These position
announcement requirements must be followed in making any appointment to
a payroll position for which the individual will receive fringe benefits.

1. If the appointment is to be .44 FTE or more and the expectation is
   that the appointee will serve for more than four months, the
   position shall be announced throughout the appropriate recruiting
   area as defined in Sections 200 and 303 of this Manual. Generally
   speaking, the recruiting area for faculty and professional
   administrative positions is considered to be on a national level,
   and the recruiting area for broadbanded technical, office, craft
   and trades, and service positions to be the Fargo-Moorhead area
   and the ten-county region surrounding the institution.

   1.1
       When a 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 one
       week prior to initiating an external search. The procedures
       for these internal searches will be the same as those external
       searches (see Section 202 or Section 304). The Equal
       Opportunity Office (for non-banded positions) or the Human
       Resources Office (for broadbanded positions), in consultation
       with the unit supervisor, will be responsible to determine
       whether a pool of appropriately qualified employees exists.

2. If the appointment is either less than .44 FTE or clearly
   stipulated to be for a total duration of less than five months,
   then there is no formal position announcement required. Unit
   supervisors are, however, encouraged to announce the position on
   an internal or local basis. That means that an announcement might
   be distributed only within the University or to the eligible
   faculty or staff of the particular academic or administrative unit
   involved. However, affirmative action efforts should still be
   undertaken within this possible limitation to ensure that
   qualified minority individuals, females and individuals with
   disabilities are included in the applicant pool. Distributing the

position announcement to the other Tri-College University institutions or within the Fargo-Moorhead community is also encouraged.

3. Recruitment for all full-time, permanent administrative, academic and professional broadbanded staff positions (all those in the 1000, 2000 or 3000 job categories) 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.

   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 under represented and protected groups. Selection from the group of finalists of the individual to fill the position is the responsibility of the unit administrator. The Director of Equal Opportunity or the Director of Human Resources, depending on the type of position, shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.

4. Although department heads are encouraged to post throughout the University any position that offers an important promotional opportunity to employees in other departments, the formal procedures for filling positions (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 specific option should be noted in the remarks section of the Personnel Appointment Form (100) or on the Personnel Change Authorization Form (101) and relevant documentation attached:

   4.1
      Timeslip employment which is not identified as a payroll budget appointment.

   4.2
      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.

   4.3
      The transfer of a faculty member from special appointment status to a probationary appointment, provided that he or she had secured the special appointment on a nationally competitive basis.

   4.4
      A reassignment of duties on a part-time basis, including any appropriate change in title, which does not result in more than a 10% salary increase, a change of more than 50% of the original duties, or the creation of a position vacancy.

4.5

    The appointment of an employee to fill a vacant administrative
    position on an acting basis, normally for a period not to
    exceed one year, while a search is being conducted for a
    permanent appointee.

4.6

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

    a) an injury resulting in worker's compensation award and
    subsequent retraining
    b) a reduction-in-force.

4.7

    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
    Graduate Studies and Research. Those submitting proposals for
    internal funding that are not reviewed in Graduate Studies and
    Research should contact the Equal Opportunity Office prior to
    submitting the proposal.

4.8

    An externally funded appointment as a postdoctoral fellow or
    research assistant or associate 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.

4.9

    At the time a new employee is hired or within the first year
    of employment, the appointment of the employee's
    spouse/partner to a position for which the spouse/partner is
    fully qualified.
        If a new employee indicates that s/he has a spouse/partner
        who is also interested in employment at NDSU, the
        department/unit administrator is responsible to:--contact
            Human Resources and/or the relevant academic department(s)
            as soon as possible (depending on the spouse's/partner's
            education and experience); and
            --encourage the spouse/partner to make an appointment with
            a staff member in Human Resources and/or with the
            head/chair of the appropriate academic unit to review the
            spouse's/partner's education and experience.

4.10
   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) the employee had a satisfactory performance record; and
   2) the employee is returning to a position requiring similar
   qualifications and having similar responsibilities; and
   3) the position is within the department where he/she worked
   at the time of resignation.

4.11
   The appointment of a post doctoral fellow (postdoc) who comes to
   NDSU with a newly appointed faculty member on whose research
   project the postdoc is currently working. The postdoc may not
   transfer to other NDSU employment without being hired through the
   usual recruitment/selection process.

5. Regardless of the position announcement procedures that are
   followed, all employment decisions within the University are
   subject to equal opportunity laws and regulations that prohibit
   discrimination on the basis of race, color, religion, national
   origin, sex, disability, age or Vietnam Era veteran status or
   sexual orientation. In addition, all appointments to payroll
   budget positions and equivalent positions supported by
   non-appropriated funds are subject to the equal opportunity
   monitoring system defined in Sections 202 and 304 of this manual.

6. Exceptions to this policy may be authorized by the President in
   unique circumstances.
      A 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 appropriate vice president. If the request is
      supported by the vice president after consultation with the
      University's Director of Equal Opportunity and the unit's
      dean and director, it is forwarded by the vice president to
      the President for consideration.

HISTORY: May 15, 1978; Amended February 6, 1979; April 21, 1981;
November 13, 1989; September 24, 1991; April 1992; August 1993; December
1994; May 4, 1999, October 2001.

POLICY CHANGE COVER SHEET

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

	Section 158: Proper Use of Data Processing Capabilities

	Renamed to:

	Section 158: Acceptable Use of Electronic Communications Devices

	The "source" SBHE Policy 1901.2 was amended and substantially changed on January 31, 2003. This change would update 158 to reflect the current status of that policy and to reference the NDUS Procedures 1901.2. The changes also incorporate procedural recommendations to the Provost in 2004 from his Ad Hoc Task Force on Computer Use Procedures. The policy is also renamed to clarify the scope.

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

	Policy Coordination Committee 7/21/04
	Staff Senate
	University Senate
	President's Council

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

	NDSU Vice Provost and Chief Information Officer
	Dr. Thomas Moberg

	Last Revised: 07/13/2004

SECTION 158:
ACCEPTABLE USE OF ELECTRONIC COMMUNICATIONS DEVICES

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

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

2. NDUS Procedure 1901.2, "Computer and Network Usage," contains specific policies, procedures, rights, and responsibilities which also apply to NDSU. See: http://www.ndus.nodak.edu/policies/ndus-policies/subpolicy.asp?ref=2551

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

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

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

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

Electronic Communications Facilities.

4. Examples of uses which NDSU considers to be **unauthorized and unacceptable uses** of NDSU provided electronic communications devices include but are not limited to: intentionally viewing, listening to, or sharing obscene or pornographic materials including child pornography; political use; personal commercial gain; copyright (DMCA) violations; hacking or other disruption of operations for other ECDs; threatening communications; harassment; use contributing to a hostile, intimidating, or offensive work environment; fraud; stalking; luring of minors; and invasion of privacy.

5. The **Acceptable Use Review Committee** (AURC) is charged with establishing recommended procedures and working with NDSU administrators and the NDSU Information Technology Security Officer to ensure consistent responses to alleged violations of this policy. The members of the AURC are the
   Director of Human Resources,
   Director of Equal Opportunity,
   General Counsel, and
   Vice Provost and Chief Information Officer
or their designees. Procedures are published at http://www.ndsu.edu/it/policy/aup.html .

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

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

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

HISTORY: April 15, 1988, September 2004

POLICY CHANGE COVER SHEET

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

    Section 336:   Examinations and Grading

    This policy has not been reviewed for over ten years. Since its last review, NDSU has converted to the semester system, faculty have begun loading their own grades, and policies have changed.

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

    Policy Committee: 5/24/04
    University Senate:
    Staff Senate:
    Student Senate/Executive Board:
    President's Council:

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

    Office of Registration and Records (5/14/04)

    NOTE BY KRISTI: Should the Dead Week policy get approved by the Senate in December 2004 (currently in a trial phase per student gov't request), this policy will need to be revised to include language regarding that change.

SECTION 336: EXAMINATIONS AND GRADING

SOURCE: NDSU University Senate Policy

The giving of examinations, their type, and number is up to the individual instructor. However, ~~since the end of the seventh week is the latest that a student may drop a course without failure,~~ results of examinations or other methods of evaluation are to be provided to students ~~are desirable~~ before ~~this deadline~~ the last day to drop courses (coincides with last day to withdraw to zero credits) within a given term. These deadlines are published on an annual basis and typically fall three weeks before the last day of the semester, which includes final examination week, for regular full-term courses. Deadlines for variable length courses vary and are based on the length of the session in which such classes fall.

The schedule for final examinations is determined and published by the ~~Registrar's~~ Office of Registration and Records. Final examinations in one-credit courses are usually given during the last regular class period. Final examinations for all other courses may not be rescheduled during the final examination period, or given prior to the start of the final examination period. According to 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. ~~are not permitted at other periods.~~ Final examinations for summer school, distance and continuing education and extension, ~~or night~~ 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.

Instructors who desire machine grading of objective-type examinations may obtain examination forms and special pencils from the Varsity Mart (The University bookstore) at a nominal charge. Scoring of the completed forms will be done by the Computer Center at no charge *(should be confirmed).*

Upon request all instructors shall inform students directly of their approximate mid-term grades before the end of the eighth ~~sixth~~ 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 NAID number, and examination and term papers must have the grade denoted inside when they are made available for students to pick up, in order to maximize privacy of grades. (University Senate Policy, approved Feb. 21, 1972)

Final grades are reported on-line by faculty ~~on official class lists~~ and typically are due ~~in the Registrar's Office~~ 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. ~~within 48 hours after the final examination has been given.~~

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.
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.)
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. Except in courses designated as practicum, internship, individual study, field experience, study abroad, or graduate-level research or investigation, the grade of Incomplete must be removed no later than the end of the seventh week of the next semester enrolled. If alternative arrangements are made between the student and the instructor, there must be a written agreement that the instructor files with the department chair and with the Office of Registration and Records.
5. 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.
6. 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.
7. Grades of Incomplete 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.

~~Incompletes are entered on class lists and must be initialed by the dean of the college in which the course is located. A grade of incomplete can be given only in the case of illness or an equally valid reason and may not be used if the student is deficient more than three weeks' work. Except for special problems courses, graduate courses, research, or investigation courses, a grade of incomplete must be made up by the end of mid-term exam week in the student's next term of residence. If the incomplete is not removed within the specified time and unless the instructor notifies the registrar of a time extension, it will automatically be changed to "F" by the Registrar's Office. When the incomplete has been removed by the student, a change-of- grade form must be sent to the Registrar's Office by the instructor. Thesis and research credits are marked S or U for satisfactory or unsatisfactory. Honor point requirements are covered in the University catalog.~~

HISTORY: January 19, 1970; Amended April 1992, November 1992

POLICY CHANGE COVER SHEET

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

        Policy 339: NDSU Policy on Communication Proficiency

        This change was approved by the Grad Council in November 2001 but was not brought to the
        PCC. Language in 2.2.2.1 has been updated.

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

        Policy Coordination Committee (7-21-04)
        Staff Senate
        University Senate
        President's Council

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

        David Wittrock, Interim Dean, Graduate School (6-8-04)

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**For any questions
please send e-mail to:**
NDSU.Policy.Manual@ndsu.nodak.edu

SECTION 339: NDSU POLICY ON COMMUNICATION PROFICIENCY
SOURCE:
 **University Senate Policy
 SBHE Policy Manual, Section 609
 N.D.C.C. Section 15-10-13.1**

1. PURPOSE: NDSU has established a process for verifying communication skills for all personnel whose appointments include classroom instruction. Communication, both oral and written, is, by definition, an interchange involving both the sender and the receiver. The NDSU Task Force on Communication Proficiency has taken both sender and receiver into account when developing communication skills verification. The policy affirms the university commitment to cultural diversity, as articulated by the NDSU mission statement, general education outcomes, and proposed strategic themes.

   The policy is supportive of all NDSU instructional personnel and their efforts to continuously improve their communication skills.

2. PROCESS AND STANDARDS FOR VALIDATING AND ASSESSING PROFICIENCY

   2.1
   New Faculty and Other Instructional Staff:

   Every faculty recruiting committee will 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. The minimum qualifications for the position will include "effective oral and written communication skills." To assist the recruiting committee, each unit must have procedures for obtaining faculty and student input concerning communication proficiency of each candidate who is formally interviewed. Faculty involvement should be unit wide at this point in the process. Student(s) should be selected by the unit and should be representative of the type(s) of student(s) that the candidate will be teaching if he/she is hired. Comments and evaluations concerning communication proficiency received by the recruiting committee from faculty and students from the unit should be stated on the interview form. Academic Deans will verify that these procedures have been followed prior to forwarding a Request to Offer.

   2.1.1
   Validating written communication proficiency:

   Candidates who are formally interviewed must provide materials suitable for evaluating written communication proficiency. Such materials should include a letter of application and samples of their written work(s). In addition, the recruiting committee may wish to

specifically request that letters of reference include comments concerning communication.

Members of the recruiting committee, with assistance from faculty and students as described above, will use categories of excellent, satisfactory, or unsatisfactory in evaluating written communication proficiency. An overall rating of satisfactory is considered to be a minimal qualification.

2.1.2
Validating spoken communication proficiency:

Candidates who are formally interviewed will make an oral presentation suitable for evaluating communication proficiency. Members of the recruiting committee, with assistance from faculty and students as described above, will use categories of excellent, satisfactory, or unsatisfactory in evaluating spoken communication proficiency. An overall rating of satisfactory is considered to be a minimal qualification.

2.2
Graduate Teaching Assistants (GTAs):

Before an academic unit assigns a teaching responsibility to a graduate student (or an undergraduate student in unusual cases), the Graduate School and University requirements described below must be met. There may be additional requirements in units with special needs.

2.2.1
Test of English as a Foreign Language (TOEFL):

All potential teaching assistants whose first language is not English must submit a Test of English as a Foreign Language (TOEFL) score of no less than 600 to the Office of Graduate Studies and Research. A score of 600 is considered to demonstrate near-native proficiency in listening comprehension, the ability to understand English as spoken in North America, structure and written expression, the ability to recognize language that is appropriate for standard written English, vocabulary and reading comprehension, and the ability to understand nontechnical reading matter. The TOEFL examination is administered throughout the year locally, regionally, and in the students' homelands. Under special circumstances, students may submit the locally administered Michigan Examination (MTELP) results. A score of 90 on the MTELP is comparable to a TOEFL score of 600.

2.2.2
Requirements for written communication proficiency:

All potential teaching assistants must provide evidence of their proficiency in written communication skills by submitting evidence of one or more of the following:

2.2.2.1
Completion of at least one course in English Composition at an accredited institution of higher learning in the United States with a grade of B or better..
2.2.2.2
Completion of an advanced English writing course, e.g., technical writing, at an accredited institution of higher learning in the United States with the grade of B or better.
2.2.2.3

Completion of a writing sample that has received a "pass" grade by two readers designated by the Graduate Dean. One of the readers will be from the student's department. The sample may be submitted in advance with verification that it is his or her own work. The sample and grades are kept on file in the Office of Graduate Studies and Research.

2.2.2.4

Completion of the Test of Written English (TWE) with a score of 5.0 or higher for teaching assistants whose first language is not English and who do not meet any of requirements 1-3 above. This examination can be taken at the same time as the TOEFL examination at many, but not all, test sites. Each essay is scored by two independent Educational Testing Service readers. A score of 5.0 demonstrates competence in writing on both the rhetorical and syntactic levels, though the essay will probably have occasional errors.

2.2.2.5

Completion of North Dakota State University's five-week Intensive English Language Summer Program for teaching assistants whose first language is not English and who do not meet any of requirements 1-3 above. The program is designed to improve participants' four language skills: listening, speaking, reading, and writing.

2.2.2.6

Completion of English 112-114 (Writing for Non-native Speakers) with a grade of B or better for teaching assistants whose first language is not English and who do not meet any of requirements 1-3 above.

2.2.3

Requirements for spoken communications proficiency:

Potential teaching assistants whose first language is not English must obtain a minimum score of 225 on the Test of Spoken English (TSE). This locally administered examination assesses oral language proficiency of English spoken in North America. It evaluates a person's overall comprehensibility, pronunciation, grammar, and fluency. A score of 225 indicates that the individual is generally comprehensible to Americans who are not used to listening to speakers whose first language is not English. Table 1 provides descriptions of TSE test score ranges and their meanings.

Table 1. Generic Description of TSE Test Score Ranges

150-199	Generally comprehensible but with frequent errors in pronunciation, grammar, choice of vocabulary items, and with some pauses and rephrasing.
200-249	Generally comprehensible with some errors in pronunciations, grammar, choice of vocabulary items, or with pauses or occasional rephrasing.
250-300	Completely comprehensible in normal speech, with occasional grammatical or pronunciation errors in very colloquial phrases.

The TSE is administered and evaluated by faculty in the Department of Modern Languages who are trained in language assessment and have expertise in teaching English as a Second Language. Test scores are forwarded to the Office of Graduate Studies and Research. By successfully completing the Intensive English Language Summer Program and attaining a minimum score of 225 on the Test of Spoken English, a

student will have met the University's spoken language proficiency requirements. Potential teaching assistants whose first language is English will be evaluated within individual departments through procedures such as interviews and sample presentations. Table 2 provides information concerning the relationship between TSE scores and duties that Graduate Assistants are allowed to perform.

Table 2. Relationship Between Minimum TSE Scores

and Allowable Teaching Responsibilities

250 Classroom Instructor	Responsible for developing and delivering lecture materials to undergraduate students. The overall plan for the course is the responsibility of a full-time faculty member, but the specific classroom material is the responsibility of the graduate student. The graduate student presents new material to students and evaluates their performance through testing, etc
225 Laboratory Teaching Assistant	Responsible for guiding undergraduate students during the performance of laboratory experiments, assuring that the experiments are carried out safely. The experiments performed and the laboratory instruction sheets are the responsibility of the full-time faculty member. The graduate assistant reviews material that is pertinent to the experiment, answers questions that arise, and oversees the students' experimental procedure. He/she also grades the laboratory reports that are submitted.
225 Recitation Teaching Assistant	Responsible for working assigned homework problems in front of a class of 20 to 30 students and answering questions students ask about these problems. Full written solutions to the homework are prepared by the faculty member responsible for the lecture part of the course. The Recitation Teaching Assistant is given these solutions to study several days before the recitation class meets.
225 Tutor	Responsible for assisting students to develop understanding of concepts and other material covered in courses. Tutors students on a regularly scheduled basis or during scheduled office hours. Meets with course instructor on a weekly basis to discuss potential difficulties in course content.
225 Grading Assistant	Responsible for grading papers and problems submitted by students to a full-time faculty member in a lecture course. The full-time faculty member is responsible for selecting the assigned homework to be graded. The grader has no direct contact with the students.

2.3
Temporary Instructional Staff:
Departments/units are responsible for determining and documenting the communication proficiency of temporary or part-time instructional staff who are not hired through an open search process (see Section 1.0 above).

3. DETERMINATION OF PROFICIENCY PRIOR TO EMPLOYMENT:

As described within Section A, potential teaching assistants and faculty are evaluated for proficiency prior to employment.

4. CONTINUOUS IMPROVEMENT OF COMMUNICATION PROFICIENCY

Each NDSU instructor is evaluated annually within the unit in which he/she works, using specific procedures developed within the unit. The head of the unit is always involved, but others may be involved as well.

All instructors provide course evaluation forms to the students in each class that they teach. These forms include an item concerning the evaluation of communication proficiency of the instructor. This item was developed by the Teaching and Professional Service Committee at NDSU. The student response to this item can be associated with a numerical score, for which a mean and variance can be calculated. In general, annual evaluation procedures within units must include quantitative assessment measures and should include the student evaluation information.

Other procedures that units might employ in evaluation of communication proficiency include classroom visits, consideration of materials generated for classroom use and other purposes, seminars and other presentations, and solicitation of input from peers and students. Based on the results of the evaluation within the unit, an instructor may chose to or be required to participate in an improvement program.

The University is continuously engaged in programs and mechanisms to improve communication proficiency. Example means of improvement may include:
*
Mentoring
*
Workshops sponsored by the Teaching Support Center, the Office of Assessment and Institutional Research, the Institute for the Study of Cultural Diversity, and other campus organizations
*
Personal and professional development materials and initiatives, such as video and audio tape, training software (e.g., Speech works), and audio cassette training materials.
*
Programs led by persons with training in improving articulation, intonation, rhythm, and other presentation skills
*
Programs led by persons with training in diminishing accents, stuttering, stress, and other barriers to effective presentation

5. REGISTRATION OF CONCERNS

The resolution of conflicts concerning communication proficiency is best solved as close to the source as possible. Students are urged to contact the instructor to discuss concerns. If the conflict cannot be resolved with the instructor, the student may meet with the chair of the department, the dean of the college, and the Vice President for Academic Affairs or the Vice President's designee. Administrators who receive formal complaints must

respond and take appropriate action within 15 days. Students should move from one level to another only if an acceptable resolution cannot be reached at the lower level.

At any time, the student may contact the Assistant to the Vice President for Student Rights and Conduct for advice concerning how to register a communication proficiency complaint, or for assistance if the process above cannot be utilized for any reason. The Assistant to the Vice President for Student Rights and Conduct will report complaints to the appropriate chair and to the Associate Vice President for Academic Affairs.

The ultimate responsibility for the resolution of such complaints will reside with the Office of the Vice President for Academic Affairs. This office will be responsible for verifying the appropriate remedial action, if needed, is carried out. At the direction of the Vice President for Academic Affairs or the designee, the Assistant to the Vice President for Student Rights and Conduct will convey a summary of any actions taken to the student complainant.

A statement describing the process will be included in the document Rights and Responsibilities of Community: A Code of Student Conduct and in the NDSU Bulletin.

6. REVIEWING EFFECTIVENESS OF THE POLICY

    This policy will be reviewed periodically but at an interval of not less than every two years by the Vice-President for Academic Affairs or designee.

7. COMPLIANCE WITH FEDERAL AND STATE LAWS

    Employees who feel that they may have been discriminated against by the application of this policy may utilize the Equal Opportunity grievance process at the University.

HISTORY: June 1994

POLICY CHANGE COVER SHEET

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

        Section
        353: Grievances - Faculty

        Language added in section 4.2. to clarify the 120 days period to bring a grievance to the SCR.   Language added to clarify who will chair the SRC.   Deleting section 5.1.6 referring to guidelines available from General Counsel.   Language is unnecessary to the policy.

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

        Policy Coordination Committee - 3/19/04
        Staff Senate -
        University Senate –
        President's Council -

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

        General Counsel

SECTION 353: GRIEVANCES - FACULTY

SOURCE: SBHE Policy Manual, Section 612; NDSU ~~University Senate Policy~~ President

1. Each institution shall establish procedures to attempt mediation or resolution of faculty grievances.

2. "Grievance" means those actions or conditions defined in the institution's policy adopted pursuant to subsection 4 of this policy. It does not include matters related to dismissals, terminations, non-renewals or any other matter governed by SBHE Policy, Section 605.1, 605.3 or 605.4. *Decisions on matters related to tenure and*

   promotion may be appealed under NDSU Policy 350.1– ~~350.4~~ 350.5 and 352. Equal opportunity grievances are governed by NDSU Policy 156.

3. This policy applies only to faculty as defined in SBHE Policy, Section 605.1 of these policies, lecturers, adjunct faculty and graduate teaching assistants. It does not apply to classified staff or to administrators or coaches.

4. The faculty governance structure at each institution shall by policy define the actions or conditions subject to grievance and procedure for filing a grievance in accordance with SBHE Policy, Section 305.1 of these policies.

   4.1
       Actions or conditions subject to grievances are those which apply personally to the grievant and are administrative decisions affecting terms and conditions of employment, such as salary adjustments, development leave, assignments/duties, periodic reviews and working environment. Grievance does not include matters related to tenure or promotion.

   4.2
       A grievant may initiate the grievance process by 1)communicating with the person whose decision is the subject of the grievance and 2)then discussing the grievance with that person's immediate supervisor. The grievant shall put the basis for the grievance in writing if requested by any supervisor. If the outcome of these steps is unsatisfactory to the grievant, a grievant may then appeal to a Special Review Committee by filing a written grievance with the presiding

officer of the University Senate no later than 120 calendar days from the date when the grievant knew or should have known about the act(s) causing the grievance. ~~after the action subject to grievance occurred.~~ The grievant may need to file an appeal to the Special Review Committee prior to the outcome of the previous steps in order to retain the right of appeal.

5. The Special Review Committee shall attempt to resolve the grievance on an informal basis. Should the grievance remain unresolved, the Committee shall make its recommendations in writing to the complainant, head of the academic unit or program area, dean, or academic vice president, and president.

   5.1
      The Special Review Committee shall consist of the following members:

   5.1.1
      A member of the University faculty chosen by the faculty member requesting the review;

   5.1.2
      A member of the University faculty chosen by the person(s) whose action is alleged to constitute violation of the regulations on academic freedom, tenure, and due process;

   5.1.3
      A member of the University faculty (who shall be chair) appointed by the Presiding Officer of the University Senate from among a pool of faculty members (one from each of the colleges in the University [excluding University Studies]), appointed by the Senate, upon recommendation of its Executive Committee, for one year terms coinciding with the term of the Presiding Officer of the University Senate. Any faculty member may serve up to four successive terms in such a position.

   5.1.4
   Emeritus professors are eligible for memberships on the SRC.

   5.1.5
      Faculty holding administrative appointments are not eligible for membership on the SRC. "Administrative appointment" includes appointments as President, Vice President, Dean, Associate or Assistant Dean, or Department Chair or Head of an Academic Unit.

   ~~5.1.6~~
      ~~A statement entitled "Policies and Instructions for Special Review Committees" has also been approved by the University Senate and is available from the University Attorney.~~

   5.2
      In the event of a dispute as to whether an action is a matter related to tenure or promotion or is subject to grievance, the university or faculty member subject to the action may request an interpretation from the Standing Committee on Faculty

Rights by filing a written request for an opinion. The
Committee, after reviewing the matter and considering any
written argument from either party, shall issue its opinion
within thirty calendar days of the time of the filing of the
request for an opinion.

6. The President shall within thirty days of receipt of the
   recommendation, provide written notice to the grievant of his/her
   decision concerning the grievance after consideration of the
   Special Review Committee's recommendation. The President's
   decision shall be final.

HISTORY: June 26, 1986; Amended November 18, 1990; June 1995; June 1998;
November 2000; March 2002.

POLICY CHANGE COVER SHEET

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

Section 710: Computer Facilities

Renamed to

Section 710: Computer and Electronic Communications Facilities

These proposed changes in Section 710 include moving all of the "Acceptable Use" elements to a newly revised Section 158 and focusing on administrative policies and procedures in this section and provide a new structure direction for IT governance at NDSU.

We have updated language to reflect current campus organization and have added clarification about network protection through possible control of connecting devices. We have also tried to incorporate terminology used for ConnectND (e.g. "access control officer").

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

Policy Coordination Committee 7/21/04
Staff Senate
University Senate
President's Council

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

Information Technology Services
Dr. Thomas Moberg, Vice Provost and Chief Information Officer

Last Revised: 07/13/2004

SECTION 710:
COMPUTER AND ELECTRONIC COMMUNICATIONS FACILITIES

SOURCE: NDSU Policy Manual

1. Section 158 and cited SBHE policies and procedures govern acceptable use of electronic communications devices and provide definitions used in this section..

2. The NDSU Planning and Policy Council for Information Technology (PPC-IT) is appointed by the President with recommendations from the Provost and from the Vice Provost and Chief Information Officer (CIO). Membership includes senior executive officers, Deans, faculty and staff leaders, student leaders, advisory committee chairs, and the NDSU Vice Provost and Chief Information Officer. The PPC-IT serves as the recommending body for Information Technology (IT) strategic planning and institutional policy development. The PPC-IT will establish and appoint members of IT advisory committees and establish other IT governance components. Staffing and organizational support is provided by Information Technology Services. The Vice Provost and Chief Information Officer is responsible for publishing and enforcing IT policy and development of specific IT procedures, guidelines, and standards.

3. Batch and interactive access to the administrative computer systems (e.g. ConnectND, CICS) must be authorized by a designated access control officer. To locate the appropriate access control officer for a system, contact the office of Financial Services, Human Resources, or Registration and Records (student systems), respectively. Supervisors of users with access to the administrative computer systems are responsible for notifying the appropriate access control officer(s) when the user changes jobs or terminates employment with the University.

4. Support for access to other campus and NDUS computer and network resources is provided through the NDSU Information Technology Services Help Desk (1-8685).

5. If someone suspects that another individual has access to their access credentials (e.g., UserID and/or password) or has evidence of any other security breach, it should be immediately reported to the applicable access control officer, the supervisor, and the NDSU Information Technology Security Officer in Information Technology Services.

6. In order to protect the campus data networks, NDSU reserves the right to control network access. Procedures may include forms of registration and/or authorization before devices are able to access the network. In the event of imminent threats or network disruption, it may also be necessary to temporarily block specific types of network traffic or isolate portions of the network. Devices may be removed from the network or have network access blocked

without notice if they pose a threat to the network, the device itself, or the user(s) of the device. Examples of reasons why a device might be removed from the network or blocked include, but are not limited to, the following:

    a. A device is used for unauthorized uses or by unauthorized users (see Policy Section 158).

    b. Network addresses are unauthorized, misappropriated, or have been modified to avoid restrictions.

    c. A device does not meet current device requirements.

    d. Or a device poses a threat to the network or the user because of vulnerabilities, compromises, incompatibilities with the network, or other reasons.

7. Requests for data and networking services must be made to Information Technology Services (ITS). The following procedures apply:

    a. Work requests: Requests for Data / Networking Services forms are available on the web at http://its.ndsu.nodak.edu/resources/forms/netwk_request.pdf . If you have questions, please contact the ITS Help Desk (phone 231-8685 option 1). There is a charge for materials and labor. ITS personnel will provide an estimated cost of the project prior to installation, if requested.

    b. All wiring for data circuits, for example Local Area Networks (LAN), in campus buildings must be installed and tested by ITS personnel or with their prior approval before it can be connected to the campus communications backbone.

    c. Departmental (or Building) LANs connected to the Campus Communication backbone must be linked through equipment authorized by Information Technology Services.

    d. Wireless access points and other radio communications devices, modems, or other remote access devices connected to the campus network must be authorized by Information Technology Services.

    e. Unauthorized mechanical or electrical alteration of any part of the network infrastructure (e.g., wall jacks, wire closets, building wiring or circuits, etc.) is prohibited. Employees and contractors are responsible for promoting the physical security of electronic computing devices and network infrastructure at all times. Access to wiring closets and other locations with computer or electronics communications equipment should be limited and strictly controlled.

    f. Assignment of network addresses (e.g., Internet Protocol addresses, domain names, etc.) is coordinated by ITS. Contact the Help Desk (231-8685 option 1) for more information.

HISTORY: July 1990; Amended February 1993; June 1996; March 1998, September 2004

POLICY CHANGE COVER SHEET

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

       Policy 813 – FACILITIES and ADMINISTRATIVE COSTS

       Update policy for new rates approved for NDSU by Federal government

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

       Policy Coordination Committee – 8/11/04
       Staff Senate – 9/8/04
       University Senate – 9/13/04
       President's Council – 8/26/04

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

       Office of the Vice President for Business and Finance
       Accounting

SECTION 813: FACILITIES and ADMINISTRATIVE COSTS

SOURCE: NDSU President

1. The University has established indirect cost rates with the cognizant federal audit agency. The rate charged to a sponsored agreement depends upon the function of the work performed. Before deciding which rate applies to each program, carefully review the definitions of research, instruction, and other sponsored activity as defined below.

   1.1
   ORGANIZED RESEARCH. Organized Research means the critical and exhaustive investigation or experimentation having for its aim the discovery of new facts and their correct interpretation; the revision of accepted conclusions, theories, or laws, in light of newly discovered facts; or the practical applications of such new or revised conclusions. This category includes all activities specifically organized to produce research outcomes, whether commissioned by an external agency or separately budgeted by the institution. It also includes activities involving the training of individuals in research techniques.
   1.2
   INSTRUCTION. Instruction means the teaching and training activities of an institution. Except for research training, this term includes all teaching and training activities, whether they are offered for credits toward a degree or certificate or on a non-credit basis, and whether they are offered through a regular academic session, summer school division, an extension division, or a continuing education division.
   1.3
   OTHER SPONSORED ACTIVITY. Other sponsored activities means programs and projects financed by federal and non-federal agencies and organizations which involve the performance of work other than instruction and organized research. Examples of such programs and projects are health service projects, and community service programs.

2. The current approved indirect cost rates are as follows:

FROM	**TO**	**RATE**	**LOCATIONS**	**APPLICABLE TO**
7/1/04	6/30/05	41.5%	On-campus	Organized Research
7/1/04	6/30/05	26.0%	Off-campus	Organized Research

FROM	TO	RATE	LOCATIONS	APPLICABLE TO
7/1/05	6/30/07	42.5%	On-campus	Organized Research
7/1/05	6/30/07	26.0%	Off-campus	Organized Research
7/1/04	6/30/07	49.4%	On-campus	Instruction
7/1/04	6/30/07	26.0%	Off-campus	Instruction
7/1/04	6/30/07	20.3%	On-campus	Other Sponsored Activity
7/1/04	6/30/07	16.4%	Off-campus	Other Sponsored Activity
~~FROM~~	~~TO~~	~~RATE~~	~~LOCATIONS~~	~~APPLICABLE TO~~
~~7/1/96~~	~~6/30/03~~	~~41.0%~~	~~On-campus~~	~~Organized Research~~
~~7/1/96~~	~~6/30/03~~	~~23.3%~~	~~Off-campus~~	~~Organized Research~~
~~7/1/96~~	~~6/30/03~~	~~47.0%~~	~~On-campus~~	~~Instruction~~

3. Indirect cost is calculated as follows:

4. Indirect Cost = (Total Direct Cost minus Equipment in excess of $~~750~~ 5,000 minus Subcontract Payments Exceeding $25,000.) x Rate above.

5. In most cases the activities of the University will be considered to be on-campus activities. Off-campus rates for indirect cost will be used only if the project will be conducted in a remote location for an extended period of time. A project that would qualify for off-campus rates would be one that would not be using University facilities for any of the work performed, including the administration of the project.

6. If the indirect cost rate assigned to a particular project is scheduled to change during the life of the project, the budget should include that change in rate when the proposal is submitted. The base should be split in proportion to the number of months that each rate is in effect. This applies to all agencies allowing for indirect cost.

7. Unless specifically prohibited by the Sponsoring Agency, the inclusion of indirect costs is required in every grant and contract budget. If a proposal is submitted without the inclusion of indirect cost, the Office of Research Administration reserves the right to renegotiate the agreement for the inclusion of indirect cost, either by an increase in the award amount or by reallocating the award amount to cover both direct and indirect costs.

8. INDIRECT COST ALLOCATIONS. In order to provide an additional incentive for faculty and staff participation in sponsored activities at NDSU, it shall be the University's

policy to directly support such activity with a portion of the indirect cost payments received by the University under all sponsored agreements.

Allocation of the indirect cost collected by the University will be completed at the end of each fiscal year. Final calculations and allocations should be received no later than August 31st of any given year.

6.1

Of the indirect costs 42.0% will be allocated back to the generating colleges or units; 16% will be allocated back to Research Administration; and 42.0% to the Office of the President.

HISTORY: July 1990; Amended April 1992; December 1996; August 1997; January 2000.

POLICY CHANGE COVER SHEET

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

Section 400 – Purchasing General Policies

The purpose of this update is to be consistent with UND's purchasing limit, which allows for ease of use with the PeopleSoft/ConnectND software. The Purchasing Department is requesting that the changes be made effective on or before July 1, 2004.

The amounts in paragraphs 3.1, 3.2 and 6.1 have been increased from $1,000/$1,000.01 to $2,500/$2,500.01.

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

Policy Coordination Committee - 5/17/04
Staff Senate –
University Senate -
President's Council

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

Purchasing Department (5/4/04)

SECTION 400: PURCHASING - GENERAL POLICIES

SOURCE:

SBHE Section 803.1, Purchasing Procedures
NDSU President

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

NDSU Guidelines
1.1
The Director of Purchasing is responsible for the preparation and enforcement of NDSU purchasing policies. The Director of Purchasing may delegate authority to an NDSU employee to purchase specific types and classes of goods and services with prior written authorization by the departmental supervisor. This authorization shall specify what may be purchased by the employee and the duration of the purchasing authorization.
1.2
Purchasing has the responsibility for obligating the University and for making the final determination of source of supply consistent with the required delivery schedule, ability to meet specifications and price negotiations, except where others are so authorized. These decisions will be made in conjunction with user departments as appropriate.
1.2.1
In the event there is an unauthorized purchase, Purchasing will arrange to meet with the individual(s) and the supplier to reduce the potential for future non-compliance. Any unauthorized purchase may result in holding the individual personally responsible.
1.3
The basic responsibilities of Purchasing and those of the using departments are as follows:

Purchasing	Requestors
Responsible for:	Responsible for:
1. Pre-qualifying suppliers	1. Preparing purchase requisitions

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

1.4
No personal purchases shall be made in the name of the University nor shall any University resources be used in any way for the purpose of making personal purchases.
1.5
North Dakota University System, Policy 611.4; North Dakota State University Policy 151 - Conflict of Interest and North Dakota Century Code Sections 12.1-13-03 and 48-02-12 are referenced and made part of this Purchasing Policy. Any employee of the University authorized to sell or lease any property or make any contract in the employee's official capacity may not be interested in any such sale, lease or contract.
1.6
All employees involved in federal fund projects shall comply with the conflict of interest requirements that govern any federal grants or other sponsored agreements.
1.7
Equipment and supplies purchased for use by a governmental agency are not subject to sales/use tax or federal excise tax except heating fuel, gasoline and property purchased by NDSU that is installed by an independent contractor. A letter is on file in the Purchasing Department that may be sent to vendors who need proof of our tax exemption.
1.8
In addition to this section, all other federal and state laws, rules and regulations relating to Purchasing must be followed.

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

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

3. Personal property, equipment or supplies estimated at less than $10,000 may be purchased at the discretion of the institution. When feasible, informal quotes or proposals

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

NDSU Guidelines
3.1
NDSU employees authorized by their respective department or unit can make a single non-repetitive purchase of a good or service in the amount of $2,500.00 or less. Purchases of $2,500.01 and above shall be processed through the NDSU Purchasing Department.
3.2
NDSU employees may make purchases from $2,500.01 up to and including $5000.00 if they are delegated purchasing authority in writing by their respective departmental supervisor and by the Director of Purchasing after proper training has been completed. Requirements include obtaining three (3) informal quotes, awarding the order to the vendor offering the lowest and best bid, and ensuring that quotes are maintained on file and the item cannot be obtained on an existing term contract.

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

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

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

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

6. Items which do NOT require competitive bidding are purchases made from discount contracts under a group alliance or consortium, other items possessing unique characteristics or properties which because of those peculiarities are essential to the

conduct of particular research projects or instructional endeavors or sole source services. Purchases of an item or service under this exception is permitted only with the written approval of the purchasing officer or other official delegated that authority based upon documentation of:

a.

The unique characteristics of the products, and
b.
Specifically what task is to be performed requiring the unique characteristics of the product.
The purchasing office shall document in writing the process in all cases in which the lowest bid is not accepted. All required documentation shall be retained according to governing records retention policies.

NDSU Guidelines
6.1
A letter of justification on any sole source purchase not covered under a term contract, priced at $2,500.00 and above shall be sent to the Director of Purchasing.
6.2
Items which do not require competitive bidding are:
a. Utilities such as telephone, electric power, and natural gas services.
b. Public books and maps, periodicals and technical pamphlets.
c. Services for the maintenance or servicing of equipment by the manufacturer or authorized servicing agent of that equipment when the maintenance or servicing can best be performed by the manufacturer or authorized service agent, or when such a contract would otherwise be advantageous to the state.
d. Direct purchases from any NDSU campus auxiliary service or internal service fund operation(s).
e. Term contracts created by the NDSU/NDUS/State Purchasing Personnel.
*f. Consulting Services up to $50,000 (**excluding** architect/engineering services) if the Contracted Services Agreement form is used or an agreement is reviewed and approved by the University's General Counsel. The Purchasing Department will determine if competitive bids are required for services greater than $50,000 but less than $100,000.*
*g. Construction/Remodeling Services up to $10,000 **total project cost**, if the Contracted Services Agreement form is used and the specifications are in compliance with applicable building codes and policies and the NDUS/NDSU "Guidelines for Architects and Engineers" manual. A copy of the completed form should also be sent to the Facilities Management Director, Thorson Maintenance Center.*

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

8. Please see **Section G Procurement, Financial Processing Guidelines for NDSU Departments** (www.ndsu.nodak.edu/accounting/guidelines/process/sectiong.pdf) for specific information relating to CHAPTER 400: PURCHASING - GENERAL POLICIES.

HISTORY: July 1990; Amended January 1997, March 2003, May 2004

Home Menu	Home Menu

TO: Staff Senate Executive Committee

FROM: Susan Council, Audrey Olson, Candace.Skauge, Deanne.Sperling

Ad Hoc Committee on Dining Services

DATE: November 5, 2004

RE: Report on Dining Services

The ad hoc committee on dining services was charged with reviewing the concerns expressed by the Staff Senate at the April 14, 2004 meeting. Specifically, there were two areas of concern: little or no dining service during breaks, and menu choices. Mary Sinner, Catering and Cash Operations Manager, was invited to talk about these issues.

The discussion began with an overview of the auxiliary services at the university. Since Dining Services does not receive appropriated funds, it must operate like a "for-profit" business. Therefore, decisions on hours of operation and menu are based on historical records and accounts. The following is summary of the discussion and recommendations.

Comment #1: "No food available during breaks and during summer." An example was cited where there were several events on campus during spring break, and there was a shortage of food. Mary said the food court was open during spring break (see attachment) with shorter hours of operation. In addition, Dining Services is not often notified of campus events that may require food services. It is very possible that a food shortage occurred because Dining Services was not prepared for the increase of patrons.

Comment #2: "Why can't there be non-meat choices during Lent?" Mary said that dining services offered a variety of non-meat items during Lent; there were menu items other than tuna fish and salads. Parenthetically, they received equal complaints for not offering enough meat items during Lent.

After some discussion, the committee had the following observations and recommendations:

1. While the food court was open during breaks and summer, it appears that the campus community was not aware of the shortened hours of operation. The hours and menus are published in "It's Happening," but announcements may need to be more "in the face." It was suggested that Dining Services utilize the faculty and staff listserv and send friendly reminders of break and summer hours.

2. Since food preparation is based on historical sales information, it should not be surprising that there would be a food shortage if there were "unexpected" guests on campus. It was suggested that an information campaign be initiated to encourage departments and colleges to notify Dining Services of small meetings and events where catering is not required but guests will be dining on campus. (While it was not within the charge of this committee, it was also suggested that the university needs a common calendar that lists all meetings, workshops, and events whether the activity is open to the public or not. Such information may be useful to campus support services.)

3. The committee applauds Dining Services efforts to offer a diverse menu, but apparently customers are not aware of the choices available to them. It was suggested that non-meat

items be highlighted on the boards for the benefit of customers who are seeking alternatives to tuna fish and salads.

The members of the committee felt the discussion clarified some of the issues and concerns of the Staff Senate. Hopefully, Dining Services will review our comments and consider our recommendations. The ad hoc committee on dining services concludes its work with this report and submits it for the approval of the Executive Committee.

Cc: Mary Sinner, Catering and Cash Operations Manager
        Jack Donahue, Director of Dining Services