

Meeting Agenda
November 14, 2022

- I. Call to Order.
- II. Attendance.
- III. Adoption of the Agenda.
- IV. Approval of Meeting Minutes from October 10, 2022.
- V. Announcements.
 1. David Cook, President
 2. David Bertolini, Interim Provost
 3. Anastasiya Andrianova, Faculty Senate President
 4. Florin Salajan, Faculty Senate Past-President
 5. Warren Christensen, Faculty Senate President-Elect
 6. Fred Hudson, Staff Senate President
 7. Christian Walth, Student Body President
 8. Phil Hunt, Registrar
 9. Alicia Laferriere, NDSU Bookstore
- VI. Committee and Other Reports.
- VII. Consent Agenda.
 1. UCC Report
 2. Policy 335
- VIII. Unfinished Business.
 1. Policy 129
 2. Policy 151
 3. Policy 156
 4. Policy 333
- IX. General Order.
- X. New Business.
 1. Proposed amendment to the Faculty Senate Bylaws (Article IV, Section 8)
 2. Policy 361
- XI. Adjournment.

Meeting Minutes

October 10, 2022

- I. Call to Order: 3.00pm.
- II. Attendance: See Appendix 1.
- III. Adoption of the Agenda.
 1. Motion to approve: Secor/Haug
 - i. Approved unanimously.
- IV. Approval of Meeting Minutes from September 12, 2022.
 1. Approved by unanimous consent.
- V. Announcements.
 1. David Cook, President
 - i. He is in Bismarck to present to the Governor's Office our wishlist related to NDSU's budget.
 - a. Question from Sen. Hong: When can the search for a permanent Dean for COB start? Answer: The recommendation was to sit down and talk to each college. There could be a scenario to handle each college the same way. There are lots of different ways to handle it.
 - b. Question from Sen. Huseynov: There was a search committee being formed for the Dean of COB, and not sure what the plan is now. Accreditation is a concern for this college. There were folks worried about that. Answer: Let's talk about what makes sense. Do we want to recruit a dean when we have an interim provost and how does this hinder that process?
 - c. Question from Pres. Andrianova: Would you want to have a permanent provost in place before starting the searches for permanent deans? Answer: Will talk to each college and decide whether the searches should continue. Reiterated he wants to do what works best for each college.
 - d. Question from Sen. Tangen: Could you provide more context about the announcement on the Provost? The shock factor was quite high. Answer: The intent was not to shock. The gravity of the situation requires difficult decisions. The

context was broader, nothing that happened that week or that day. Doing a lot of learning in the first few months, and getting the gravity of the situation; we have real challenges when it comes to enrollment. It's a tough road ahead, trying to understand the situation. Has no negative impressions about the former Provost. He appreciated working with David, and talking with people on campus and off campus and how we get through this. It struck him recently that he wanted to make a change and there were tough things to do. Margaret is a consummate professional and they have a good relationship. Creative ideas and other things enter into the calculation. Taking on this ominous challenge.

- e. Comment from Sen. Selekwia: Suggestion to accelerate the filling of the deans' positions. Waiting to fill the provost position may work to the detriment of filling the deans' positions, since an incoming provost may not stay for too long. Answer: Will collect feedback from the colleges and assess how to move forward.
 - f. Question from Past-Pres. Salajan: Was there something that indicated that Provost Fitzgerald would not be up for the tough job ahead? Answer: No. It's not about what Margaret doesn't have, it's about what David does have. I have people who are sitting around the table who are going to solve problems together.
- ii. He appreciates asking the written questions and dislikes that some things may be misinterpreted. He welcomes conversations, he appreciates the reach-out from the FS Pres.
- a. Question from Pres. Andrianova: You mentioned hard things: what do you mean by that? Enrollments have been dropping for several years. What makes sense that we continue to do. We need to be honest with ourselves about retention. The numbers are dropping: 859 undergraduate students. We need to look at advising, whom we put into first-year teaching, how we address student affairs. We have to do better! What can we do as an institution to help our students do better and retain them more? What can we do as leaders to help facilitate that process?

2. David Bertolini, Interim Provost
 - i. Grateful to be here, honored to be Interim Provost. Pres. Cook asked him to serve, to work through difficult decisions for the campus.
 - ii. Work on recruitment, enrollment, and faculty well-being; we can do it. Lots of difficult things to do and we can do it: R1, enrollment, retention, and equity.
 3. Anastasiya Andrianova, Faculty Senate President
 - i. Sent questions to Pres. Cook in the spirit of shared governance. Responses were provided by the president and were shared with the Senators also in the spirit of shared governance.
 4. Florin Salajan, Faculty Senate Past-President
 - i. No announcements.
 5. Warren Christensen, Faculty Senate President-Elect
 - i. No announcements.
 6. Fred Hudson, Staff Senate President
 - i. Working on priorities and trying to crystallize them for the committees assigned to them. Staff Senate will push hard for well-being in particular. Will have updates on that process within the next few weeks.
 7. Christian Walth, Student Body President
 - i. Student Gov. is done with Homecoming; now they are getting people assigned to commissions and committees, planning higher education day and have invited lawmakers to speak, including Josh Boschee.
 8. Phil Hunt, Registrar
 - i. Reminders: FERPA training is due by October 27.
 - ii. Winter commencement ceremony announcement went out via email; commencement will be at the SHACK on Friday, December 16.
- VI. Committee and Other Reports.
1. UCC committee report
 - i. Updated procedures and guidelines for 2021-22, including cross-listing procedures, updating GPA requirements for accelerated programs; defined responsibilities for UCC members; clarified procedures for the review of Gen Ed courses. Reviewed approximately 550 proposals over the past academic year. Less than 10% of proposals were rolled back to the faculty. UCC tries not to roll back proposals, unless drastic changes are necessary.

- VII. Consent Agenda.
 - 1. UCC Report
 - 2. Policy 710
 - 3. Policy 803
 - 4. Confirmation of FS Standing Committees
 - i. Motion to approve: Wood/Kirkwood
 - a. Motion passed: 41 AYE; 1 NAY; 0 ABSTAIN – (See Appendix 2: Q1)
- VIII. Planning and Prioritizing Senate Action for the Year.
 - 1. Budget reductions and strategic planning
 - i. Motion to refer to the Budget Committee: Secor/Arnold
 - a. Motion passed: 42 AYE; 0 NAY; 0 ABSTAIN – (See Appendix 2: Q2)
 - 2. Equity, diversity, and inclusion
 - i. Motion to refer to the DEI Committee: Roberts/Kirkwood
 - a. Motion passed: 40 AYE; 0 NAY; 0 ABSTAIN – (See Appendix 2: Q3)
 - 3. Internationalization and global engagement
 - i. Motion to refer to ad hoc committee on internationalization and global engagement: Fellows/Akhmedov
 - a. Motion passed: 41 AYE; 1 NAY; 0 ABSTAIN – (See Appendix 2: Q4)
 - 4. Faculty retention and well-being
 - i. Discussion:
 - a. Sen. Arnold: serving on the Faculty Affairs committee, and thinks this is aligned with the work of that committee.
 - b. Proxy Hassel: Can you be more specific about the charge of the committee on this priority? Comment from Sen. Hong: noted faculty burnout, turnover, departure, which is why he suggested this idea during the FS executive meeting. Considers this a serious problem if we want to keep highly skilled researchers at the university. Comment from Pres. Andrianova: noted that the results of the 2021 climate survey also support this. Comment from Sen. Bumgarner: wanted to make sure faculty who stay have a decent place to work. Sen. Huseynov: faculty and staff are stretched, and there is low morale because faculty have to do more with less. He doesn't understand the fit with the committee's

purpose. Sen. Arnold: thinks the committee is not overloaded with work at the moment.

a. Motion to refer to the Faculty Affairs committee:
Bumgarner/Berg

i. Motion passed: 39 AYE; 0 NAY; 0 ABSTAIN –
(See Appendix 2: Q5)

5. Student retention

i. Discussion

a. Proxy Hassel: suggests a joint group from the curricular and administrative sides would be a good approach.

b. Sen. Haug: how would Pres. Cook's retention committee's work interface with this proposed committee's work? Pres.-Elect Christensen: serves on that council and would be happy to serve as a liaison between the two groups.

c. Question for Parliamentarian Amiri: can this priority be referred to multiple committees? Answer: Yes.

d. Question from Sen. Philbrick: how will advising be addressed through this work? Pres.-Elect Christensen: the work of that council will be comprehensive and could include advising.

e. Sen. Bumgarner: adopted this in line with Pres. Cook's priority. Faculty also agree this is a priority, but we anticipated some of this work is already being done. Offers to support a motion to adopt as a priority, and have Pres.-Elect Christensen liaise for the Senate. We may not need an additional committee.

f. Sen. Berg: Suggests that Pres.-Elect Christensen report to the Senate at every meeting.

a. Motion to charge Pres.-Elect to liaise for the Senate and refer other issues related to this matter to appropriate committees: Bumgarner/Secor

i. Discussion

1. Question from Sen. Emanuelson: How often does the council on retention meet to work on these issues? Pres.-Elect Christensen: Not sure yet. Will find out this week when the council meets. Sen. Emanuelson: how/when will the reports be provided? Pres.

Andrianova: oral reports at the FS meetings.

- a. Motion passed: 40 AYE; 0 NAY; 0 ABSTAIN – (See Appendix 2: Q6)

IX. Unfinished Business.

X. General Order.

1. Policy 352

i. Motion to approve: Bumgarner/Wood

a. Discussion

a. Sen. Secor: Are emeritus/emera professors allowed in the revision to this policy? Pres. Andrianova: yes, if the units approve. Sen. Roberts: Would emeritus faculty be allowed to serve on college PTE committees? Committee Rep. Friesner: they are not allowed to serve, unless unit policy explicitly allows it. This change is mainly to help departmental PTE committees. Preferable for college PTE committees to be staffed by current faculty members.

b. Proxy Hassel: was there a bylaws revision to allow emeritus faculty to serve on PTE committees? Past-Pres. Salajan: That was an issue related to emeritus faculty membership in the Faculty Senate stated in the proposed revisions to the FS Constitution at that time. It's a separate matter.

c. Sen. Bumgarner: this empowers the units, but does not obligate them, to use emeritus faculty on committees, but it allows those that need that representation to do so.

- i. Motion passed: 33 AYE; 4 NAY; 1 ABSTAIN – (See Appendix 2: Q7)

XI. New Business.

1. Proposal to form an ad-hoc committee on program overlap and course duplication

i. Motion to form an ad-hoc committee on program overlap and course: Emanuelson/Kirkwood

a. Discussion.

- a. Proxy Hassel: should there be representation from the Gen Ed committee in case of overlaps? UCC Co-chair Marx: that makes sense.
- b. UCC Co-chair Marx: it is important to have a clearly laid-out process and best practices to be used consistently in evaluating new programs, revalidating courses, etc.
- c. Pres. Andrianova: the committee composition: 2 UCC committee members, 1 Gen Ed committee member, 1 Registrar & Records member, 1 Graduate Council member.
 - i. Motion passed: 36 AYE; 2 NAY; 0 ABSTAIN – (See Appendix 2: Q8)

2. Policy 129
3. Policy 151
4. Policy 156
5. Policy 333

XII. Adjournment at 4:33pm: Fellows/Huseynov

1. Passed unanimously.

Appendix 1: Attendance

Last Name	First Name	Substitution	Present
AKHMEDOV	Azer		X
AMIRI	Ali		X
ANDRIANOVA	Anastassiya		X
ARNOLD	Lisa		X
BERG	Eric		X
BRYNJULSON	Rebecca		X
BUMGARNER	Jeff		X
CHOI	Bong-jin		X
CHOI	Juwon		X
CHRISTENSEN	Warren		X
CREESE	John		X
EMANUELSON	Pam		X
FELLOWS	Kristen		X
GAO	Jerry	YU, Y	X
HAUG	Karla		X
HERSHBERGER	John		X
HONG	David		X
HUSETH-ZOSEL	Andrea		X
HUSEYNOV	Fariz		X
JEONG	Inbae		X
KILINA	Svetlana		X
KIRKWOOD	Matthew		X
KRYJEVSKAIA	Mila		X
LARSON	Jamee	HASSEL, H.	X
LAW	Quincy		X
LIN	Zhibin		X
MARCH	Raymond		
MATTHEW	Sijo		X
MCGRATH	Ryan		X
NORDSTROM	Onnolee		X
PELTIER	Allison		X
PHILBRICK	Candace		X
RAHMAN	Mukhlesur		X
RAO	Jiajia		X
ROBERTS	David		X
ROSS	Darrell		X
SALAJAN	Florin		X
SECOR	Gary		X
SELEKWA	Majura		X

SMITH	Matthew	X
TANGEN	Jodi	X
TRAVERS	Steve	X
VOLD	Jessica	X
WOOD	Scott	X
YAN	Guiping	X
ZHANG	Qi	X

SECOR, Gary	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE
SELEKWA, Majura	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE
SMITH, Matthew	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE
TANGEN, Jodi	-	AYE	AYE	AYE	AYE	AYE	AYE	AYE
TRIVERS, Steven	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE
VOLD, Jessica	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE
WOOD, Scott	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE
YAN, Guiping	-	AYE	AYE	AYE	AYE	AYE	AYE	AYE
ZHANG, Qi	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE

Some Senators were unable to access online voting. Their votes are recorded below:

Q1: AYE: Berg, Emanuelson, Huseynov, Kilina, Yu (proxy); NAY: 0; ABSTAIN: 0.

Q2: AYE: Hershberger, Yu (proxy); NAY: 0; ABSTAIN: 0.

Q3: AYE: Hershberger, Yu (proxy); NAY: 0; ABSTAIN: 0.

Q4: AYE: Hershberger, Yu (proxy); NAY: 0; ABSTAIN: 0.

Q5: AYE: Hershberger, Yu (proxy); NAY: 0; ABSTAIN: 0.

Q6: AYE: Yu (proxy); NAY: 0; ABSTAIN: 0.

Q7: AYE: Yu (proxy); NAY: 0; ABSTAIN: 0.

Q8: AYE: Yu (proxy); NAY: 0; ABSTAIN: 0.

Open Educational Resources

In order for Open Educational Resources (OER) to be accessible in Schedule Planner and also in Campus Solutions, Course/Class Attributes need to be used. We have two value choices: LOWCOST (Low Cost Educational Resources) and NOCOST (No Cost Educational Resources).

CTS would set up a Course Attribute that could be used either at the Course Level or the Class Level:

Course Level: Navigator > Curriculum Management > Course Catalog > Course Catalog > Catalog Data tab

*Course Attribute	Description	*Course Attribute Value	Description		
DEV	Developmental/Remedial Course	ENGL	English Category	+	-
NDEG	Non-Degree	NON-DEGREE	Non-Degree	+	-
OER	Open Educational Resources	OER	Open Educational Resources	+	-

Class Level: Navigator > Curriculum Management > Schedule of Classes > Maintain Schedule of Classes > Basic Data tab

*Course Attribute	Description	*Course Attribute Value	Description		
OER	Open Educational Resources	OER	Open Educational Resources	+	-

For attributes assigned at the section level, these attributes can be rolled over via the Term Rollover Process.
Navigator > Curriculum Management > Roll Curriculum Data Forward > Copy Prior Terms Schedule

Copy Prior Term's Schedule | Copy Prior Term's Schedule2

Run Control ID copy | Report Manager | Process Monitor | Run

Institution NDSU1 North Dakota State University
Roll From Term 1940 2018 Summer
Roll To Term 1940 2019 Summer

Sequence 1

Class Status

Active Tentative
 Cancelled Stop Enrl

Roll Options

Use Catalog Component Roll Meeting Patterns Roll Reserve Capacities
 Roll Combined Sections Roll Instructors Roll Class Requisites
 Roll Room Characteristics Roll Class Notes Roll Class Attributes
 Roll Facility ID Roll Textbook Assignments
 Roll Class Assoc Attributes

Class Attributes/Course Attributes can be searched in the Browse Catalog and Class Search & Enroll Areas in Campus Solutions.

Class Search & Enroll (when the attribute is placed at section level in Maintain Schedule of Classes):

The screenshot shows the 'Class Search Results' page. On the left is a sidebar with filters: Academic Session (Regular Academic Session), Class Meeting Days (Mon Wed Fri, Tues Thurs, Fri Sat, Weekdays), Class Start Times (Start 6am - 8am, Start 8am - 12pm), Class End Times (End 7am - 12pm, End 7pm - 11pm), Class Component (Lecture), Instruction Mode (On Campus Face to Face, Online Asynchronous), and Class Attribute (Open Educational Resources/Open Educational Resources). The main area is titled 'View Search Results' and shows '1 Course with keyword: MATH 103'. There is a filter for 'Open Classes Only' and a search result for 'MATH 103 - College Algebra' with '1 Class Option Available'.

Browse Course Catalog (when the attribute is placed at the course level in Course Catalog)

The screenshot shows the 'Course Search Results' page. On the left is a sidebar with filters: Number of Units (0-3 Units), Typically Offered (Fall, Spring), Grading Basis (Graded), and Course Attribute (VCU General Educ Requirement/English, Open Educational Resources/Open Educational Resources). The main area is titled 'View Search Results' and shows '1 result for keyword: "engl 110"'. The search result is 'ENGL 110 - College Composition I' with '3 units Typically Offered Fall, Spring'.

Need Assistance?

Contact the NDUS Help Desk:
NDUS.HelpDesk@ndus.edu (email)
<https://helpdesk.ndus.edu>

In Schedule Planner, students can search/filter by section attribute when choosing their courses.

Add Course

By Subject | Search by General Education | Search By Instructor | **Search By Section Attribute**

Desired Courses | Current Schedule

Choose a Course and click Add Course

Category: [Open Educational Resources]

Value: [Open Educational Resources - Open Educational Resources]

Subject: [Mathematics]

Course: [103 College Algebra]

Done | Add Course

Add Course

By Subject | Search by General Education | Search By Instructor | **Search By Section Attribute**

Category: [Open Educational Resources]

Value: [Open Educational Resources - Open Educational Resources]

Subject: [Mathematics]

Course: [103 College Algebra]

Done | Add Course

Mathematics 103 - College Algebra

Section attributes are also denoted on the information area for each section when the student chooses 'Options' after choosing their courses for Generating of Schedules.

Enabled (3 of 3)

Section	Component	Available Seats	Class Capacity	Instructor
01	LEC	110	110	

Title: College Algebra
 Section: 01
 Component: LEC
 Available Seats: 110
 Class Capacity: 110
 Session: Regular Academic Session
 Credits: 3
 Description: Relations and functions, equations and inequalities, complex numbers; polynomial, rational, exponential and logarithmic functions; systems of equations, and matrices. Prereq: MATH 98 with a grade of C or higher or placement.
 Location: North Dakota State University
 Instruction Mode: On Campus Face to Face
 Section Attributes: Open Educational Resources-Open Educational Resources

Need Assistance?

Contact the NDUS Help Desk:
 NDUS.HelpDesk@ndus.edu (email)
<https://helpdesk.ndus.edu>

Add a Course Materials link to Your Blackboard (Bb) Course

1. Log into your Bb course and click either “Syllabus & Textbooks” or “Course Content”.
 - Your Course Materials link can be placed almost anywhere in your Bb course. We recommend one of these two places for consistency for students if possible.
 - Be sure Edit Mode is **ON** in the top-right corner of the Blackboard page.
2. Select “**Build Content**” in the upper-left corner, then “**VitalSource Inclusive Access-NDSU**”.
3. Enter “**Course Materials**” in the Name box.
4. Update the Description and Options as desired and click **Submit**.
5. **Click on your link** to test it.
 - It should bring you to an Instructor Portal/My Courses Home page where you can view your current courses and access instructor resources. If you are using an Inclusive Access eBook, your instructor copy of it will be accessible here.
 - Students will be forwarded to a landing page that lists all of their course materials that the Bookstore is aware of, for all of their classes.
 - If you are using an Inclusive Access **eBook**, students can access it by clicking “Read Now” on the correct tile.
 - If you are using an Inclusive Access item that includes a **homework system**, students can access it by clicking “Launch Courseware” on the item tile if it is a Pearson item. If it is from a different publisher, students will use the integrated link they have provided you.
 - If you are not using an Inclusive Access item for your course, students will still be able to see and shop for all of their course materials that the Bookstore is aware of, for all of their classes.

****If your link does not bring you to the Instructor Portal/My Courses Home page, or gives you an error message, contact Alicia at alicia.laferriere@ndsu.edu with your Bb Course ID(s). This can be found in the Properties area and typically follows this format: NDSU1 - Term Code - Department/Course - Section # etc...**

6. **Post information** in your Bb course, syllabus, and/or email your students regarding how to find your Course Materials link.
 - **If you are using Inclusive Access items:**
 - Remind students to watch for emails from the NDSU Bookstore regarding program details.
 - Informational emails begin going out to enrolled students approximately two weeks prior to the start of the course.
 - If you do not receive your copy of this email, email or call Alicia at 1-9478.

**University Curriculum Committee Report
For Faculty Senate Meeting on November 14, 2022**

Program Update
B.S. Agricultural Economics – Adding ECON 211 as a required course for AGECE majors.
B.S. Radiologic Sciences – Change to the major elective listing as a result of SOC 426 and ANTH 332 not being cross-listed and SOC 426 no longer being offered.
B.S. Respiratory Care – Change to the major elective listing as a result of SOC 426 and ANTH 332 not being cross-listed and SOC 426 no longer being offered. Also adding SOC 417 as an elective.
B.S./B.A. Biological Sciences – Adding BIOL 410 as an elective.
B.S./B.A. Criminal Justice – Removing CJ 489 since Capstone courses are no longer required by the University.
B.S./B.A. Economics – Adding ECON 211 as a required course for all ECON majors and adding ECON 411 for the quantitative path.
B.S./B.A. Philosophy/Ethics – Revising major to increase efficiencies.
Graduate Certificate Leadership and Managerial Skills – Adding newly proposed course MBA 736 to the curriculum.
Minor Philosophy/Humanities

New Program
Undergraduate Certificate in Private Enterprise

New Courses			
Subject	No.	Title	Effective Term
CJ	350	Serial Killers and Serial Killings	Fall 2023
CSCI	707	Usable Security and Privacy	Fall 2023
MBA	736	Managing Conflict in Organizations	Fall 2023
PH	761	Injury Prevention	Fall 2023
PH	785	Women's Health	Fall 2023
SCM	625	Procurement & Sourcing	Fall 2023
SCM	653	Financing the Supply Chain	Fall 2023

Course Inactivations			
Subject	No.	Title	Effective Term
ENGL	213	Literary Publications	Fall 2023
ENGL	413	Literary Publications III	Fall 2023

Changes in Course Descriptions and/or Requisites				
Subject	No.	Title	Title/Prerequisite/Co-requisite/Description Change	Effective Term
CJ	325	Applied Research Methods	Removing STAT 330 as a coreq or prereq. Adding prereqs: CJ 201, CJ 210, CJ 230, and CJ 270.	Fall 2023
CJ	406	Crime and Delinquency	Removing prereqs of POLS 325 and admission to the Criminal Justice professional program. Prereq or coreq: CJ 325 remains.	Fall 2023
CJ	410	Police & Society	Removing prereqs of CJ 210, POLS 325 and admission to the Criminal Justice professional program. Prereq or coreq: CJ 325 remains.	Fall 2023
CJ	461	Corrections	Removing prereqs of POLS 325 and admission to the Criminal Justice professional program. Prereq or coreq: CJ 325 remains.	Fall 2023
CJ	465	Gender, Race and Ethnicity in Criminal Justice	Removing prereqs of POLS 325 and admission to the Criminal Justice professional program. Prereq or coreq: CJ 325 remains.	Fall 2023

CSCI	312	Survey of Programming Languages	New requisite: Credit awarded only for CSCI 312 or CSCI 372, not both.	Fall 2023
CSCI	372	Comparative Programming Languages	New requisite: Credit awarded only for CSCI 312 or CSCI 372, not both.	Fall 2023
CSCI	641	Introduction to Computer Science Education	<p>New course description: This course provides an overview of the main areas of Computer Science Education to students. The Active-Learning-Based Teaching Model, Research in Computer Science Education, Teaching Methods in Computer Science Education, and Lab-Based Teaching is addressed. Most of the methods and ideas presented can be easily adapted to the teaching of any computer science topic in any framework and any level, from middle school through high school to the university level.</p> <p>Old course description: Overview of the main areas of Computer Science Education. The Active-Learning-Based Teaching Model; Research in Computer Science Education; Teaching Methods in Computer Science Education; and Lab-Based Teaching. Projects include curriculum design for a 2-semester high school sequence and an AP practice test.</p>	Fall 2023
CSCI	642	Problem Solving in Computer Science Education	<p>New course description: Introduction of essential Computer-Science concepts related to problem solving through a study of several different approaches. Specific problem-solving techniques such as Sequential Logic, Decision Logic, Looping Logic, and popular data structures are studied in detail. The course will focus on algorithms development and modeling techniques that can be applied to many different programming languages.</p> <p>Old course description: Computer-based problem solving techniques are introduced in the context of the Internet, including web-site development. Programming concepts, problem definition and algorithm development, as well as modeling techniques are discussed. Includes structured problem solving with reference to Polya's methodology for mathematical problem solving.</p>	Fall 2023
ENGL	764	New title: Teaching Workshop for Writing Instructors Old title: Classroom Strategies for TA'S	<p>New course description: Introduction to current issues in composition pedagogy, research, and theory, focusing on how they inform teaching practices. Structured support and development in the teaching of first-year writing.</p> <p>Old course description: Introduction to current issues in composition pedagogy, research, and theory, focusing on how they inform teaching practices. Instruction on developing philosophy of and strategies for teaching through short position papers, literacy autobiography, and a sequence of assignments for ENGL 120.</p>	Fall 2023

GEOL	414	Hydrogeology	<p>New Prereq: GEOL 105, MATH 146 or 165, CHEM 121 or CHEM 160. Coreq or Prereq: GEOL 105L, MATH 147 or MATH 166.</p> <p>Old Prereq: GEOL 105, GEOL 105L, MATH 147 or MATH 166, PHYS 212 or PHYS 252, CHEM 122 or CHEM 161.</p>	Fall 2024
HDFS	721	<p>New title: Contemporary Perspectives on Adult Development and Aging</p> <p>Old title: Adult Development and Aging</p>	<p>New course description: The course covers physical, cognitive, social, and personal dimensions of adult development from a lifespan developmental perspective. This course takes an integrative perspective on aging that (a) considers the impact of prior development and socio-historical influences on late life development (b) emphasizes aging processes across diverse groups and contexts, and (c) identifies pathways to optimal functioning.</p> <p>Old course description: Study of development during adulthood and later life. Emphasis on perceptual-motor and cognitive functioning, personality, adjustment, social, familial, and cultural aspects of adulthood.</p>	Fall 2023
HIST ENGR	311	<p>New title: History of Technology</p> <p>Old title: History of Technology in America</p>	<p>New course description: This course examines how technology and new technological innovations have played a fundamental role in the development of modern modes of transportation, communication, health, economics, and government, thereby shaping global history.</p>	Fall 2023
HNES	652	<p>New title: Physical Health, Wellness, Nutrition and Active Aging</p> <p>Old title: Nutrition, Health and Aging</p>	<p>New course description: Normative biological and physiological changes due to aging are identified with a focus on how environmental factors such as physical activity and nutrition can support healthy aging and prevention of frailty and age-related diseases. Multiple facets of active aging that can augment quality of life will be examined. Resources for implementation of inclusive programs for diverse groups of aging adults will be explored.</p> <p>Old course description: Physiological changes with aging and their relationship to food habits and nutritional need. Common nutritional health problems with emphasis on prevention and treatment. 3 lectures.</p>	Fall 2023
MRKT	436	Advanced Professional Selling	<p>New course description: This course focuses on advanced professional selling frameworks, common methodologies, and gaining a deep understanding of buyer decision making involved in the sales process. Students will expand their skills in the areas of interpersonal, communication, presentation, facilitation, analytics, and problem-solving. These skills will be taught through lectures and outside speakers and practiced through case studies and complex role play scenarios.</p>	Fall 2023

NURS	New: 305 Old: 289	New title: Transitioning Professional Identity Old title: Transition from Associate LPN to BSN	New course description: This course will examine the transition from Licensed Practical Nurse to Registered Nurse. The course will integrate components of professionalism, ethics, diversity, information technology, and systems thinking. Old course description: The course is designed to assist returning students in the transition back to school. The course will examine the role of the RN and provide an in-depth review of the nursing process. New requisite: Admittance into the LPN to BSN program at NDSU.	Fall 2023
PHRM	330	Introduction to Ambulatory Care Pharmacy	Changing from 1 credit to 2 credits.	Spring 2024
PHRM	583	Advanced Pharmacy Practice Experience-Rotation III	Changing course from 5 credits to a variable 1-5 credits. Adding requisite of departmental permission to enroll.	Summer 2024
TL	787	New title: Transportation and Distribution Old title: Public Transportation II	New course description: The course helps students understand freight transportation from both private and public sectors' perspectives through topics of integrated logistics, transportation systems, channels of distribution, distribution management, globalization, intermodal transportation, freight transportation management, and various transportation modes including maritime, air, rail, and road and their interrelationships. Old course description: This course focuses on concepts and modeling procedures used when planning and operating public transportation systems. Topics covered include transit demand analysis, quality of service concepts and estimation, bus and rail capacity, and service planning.	Fall 2023

General Education Changes/Revalidations				
Subject	No.	Title	Action	Category
PHIL	225	Environmental Ethics	Adding gen ed category G	Global Perspectives Proposing Gen Ed Category A/G

Policy Change Cover Sheet

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

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

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

Policy Number and Name: **335 Academic Integrity in Instructional Contexts**

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):

This policy has some leftover language from a previous change. It mentions an “appeals board,” but there is no appeals board for academic integrity appeals. The process is clearly laid out in the rest of section 7. Therefore, I request that the line “by the appeals board” be removed from the section, so the appeals section will be clear to students wishing to pursue the appeal process.

Is this a federal or state mandate: Yes No

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

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

Office of the Provost – Melissa Lamp

Date Submitted to SCC Secretary: September 2, 2022

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

melissa.lamp@ndsu.edu

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

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

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

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

North Dakota State University

Policy Manual

SECTION 335

ACADEMIC INTEGRITY IN INSTRUCTIONAL CONTEXTS

SOURCE: NDSU Faculty Senate Policy

The academic community operates on the basis of honesty, integrity, and fair play. This trust is violated when students engage in academic misconduct, either inadvertently or deliberately. This policy serves as the guideline for cases in which cheating, plagiarism, or other academic misconduct have occurred in an instructional context (e.g., coursework, exams for degree requirements, practical experience, or fieldwork experience). Depending on the nature of the alleged offense, academic misconduct involving graduate or undergraduate research (e.g., thesis, dissertation, honors thesis), may be handled by either this policy or [policy 326, ACADEMIC MISCONDUCT](#). This policy also serves as the guideline for cases in which there is evidence of student academic misconduct in more than one instance.

The policy identifies the process for addressing academic misconduct in instructional contexts and the instances where the University may impose penalties beyond the instructional context.

1. Definitions. In this policy, an “instructional staff member” is defined as anyone who has primary responsibility for a course, experiential learning site/experience, or other applicable instructional contexts. Examples of instructional staff members include tenured and tenure-track faculty members, professors of practice, teaching assistants who have primary responsibility for a course, teaching fellows, instructors, lecturers, and hosts or supervisors of internship or practicum experiences.

In this policy, a “student” is defined as anyone enrolled in undergraduate, professional, or graduate coursework at NDSU. These students include individuals in a non-degree status, such as those taking NDSU courses through a collaborative, consortium, exchange, or early admission program, or in a conditional admit status (e.g., Tri-College, NDUS Collaborative Registration, and Early Entry/Dual Credit Program).

2. Academic or research misconduct (intentional or otherwise) includes but is not limited to the following:
 - a) Plagiarizing, i.e., submitting work that is, in part or in whole, not entirely one’s own, without attributing such portions to their correct sources;
 - i. Cases of apparently unintentional plagiarism or source misuse must be handled on a case-by-case basis and in the context of the instructor's policies. Unintentional plagiarism may constitute academic misconduct.
 - ii. Improper attribution of sources may be a symptom of bad writing and not plagiarism. Instructors are encouraged to recognize that citation skills are developed over time and are contextual.
 - b) Receiving, possessing, distributing or using any material or assistance not authorized by the instructional staff member in the preparation of papers, reports, examinations or any class assignments to be submitted for credit as part of a course or to fulfill other academic

requirements;

- c) Unauthorized collaborating on individual assignments or representing work from unauthorized collaboration as independent work;
 - d) Having others take examinations or complete assignments (e.g., papers, reports, laboratory data, or products) for oneself;
 - e) Stealing or otherwise improperly obtaining copies of an examination or assignment before or after its administration, and/or passing it onto other students;
 - f) Unauthorized copying, in part or in whole, of exams or assignments kept by the instructional staff member, including those handed out in class for review purposes;
 - g) Altering or correcting a paper, report, presentation, examination, or any class assignment, in part or in whole, without the instructional staff member's permission, and submitting it for re-evaluation or re-grading;
 - h) Misrepresenting one's attendance or the attendance of others (e.g., by PRS or attendance sheet) in a course or practical experience where credit is given and/or a mandatory attendance policy is in effect;
 - i) Fabricating or falsifying information in research, papers, assignments, projects, or reports;
 - j) Violating IRB protocol;
 - k) Aiding or abetting academic misconduct, i.e., knowingly giving assistance not authorized by the instructional staff member to another in the preparation of papers, reports, presentations, examinations, or laboratory data and products;
 - l) Unauthorized copying of another student's work (e.g., data, results in a lab report, or exam);
 - m) Tampering with or destroying materials, (e.g., in order to impair another student's performance);
 - n) Utilizing false or misleading information (e.g., illness or family emergency) to gain extension or exemption on an assignment or test.
3. The university culture of academic honesty. A primary responsibility of the students, instructional staff members, staff members and administrators is to create an atmosphere in which academic honesty, integrity, and fair play are the norm and academic misconduct is not tolerated.
- a) Instructional staff members are responsible for providing guidelines concerning academic misconduct at the beginning of each course, and should use precautionary measures and security to discourage academic misconduct. It is required that the [approved academic honesty statement](#) be contained in each class syllabus. For internships, practicums, experiential learning sites, or other courses that may not have a class syllabus, it is recommended that instructional staff members communicate these guidelines at the start of the practicum or experiential learning.
 - b) Students participating in academic misconduct are subject to disciplinary action even when not enrolled in the course where the academic misconduct occurred.

4. Fairness. Instructional staff members and administrators are responsible for procedural fairness to any student accused of academic misconduct. An instructional staff member who suspects that academic misconduct has occurred in his/her class or other instructional context has an initial responsibility to:
 - a) inform the student involved of his/her suspicion and the suspicion's grounds;
 - b) allow a fair opportunity for the student to respond;
 - c) make a fair and reasonable judgment as to whether any academic misconduct occurred; and
 - d) inform the student of the judgment, penalty (if any), and the student's right to appeal any decision resulting in a penalty.

In instances where a penalty is imposed by the instructional staff member, the instructional staff member must contemporaneously complete the [Student Academic Misconduct Tracking Form](#) (the "Tracking Form") and submit it to the Provost's Office. The Provost's Office shall submit copies of the Tracking Form to the student, the Dean of the student's primary major, the Registrar's Office and, if applicable, the Dean of the College of Graduate and Interdisciplinary Studies.

The Office of the Provost shall maintain a database of all Tracking Forms it receives. This database may be shared with relevant personnel in order to address trends in academic misconduct, address multiple instances of academic misconduct, or as otherwise allowed under FERPA.

Once a student has been informed that academic misconduct is suspected in a class or other instructional context, that student cannot drop the class.

5. Penalties imposed by the instructional staff member. Instructional staff members have the prerogative of determining the penalty for academic misconduct in their classes and other instructional contexts.
 - a) Penalties may be varied with the gravity of the offense and the circumstances of the particular case. Penalties may include, but are not limited to, failure for a particular assignment, test, or course.
 - b) If an instructional staff member imposes a penalty, the student may not drop the course in question without the permission of the instructional staff member.
6. Penalties imposed by the University. If a student involved in a case of academic misconduct is not enrolled in the course in which the academic misconduct occurred, the instructional staff member teaching that course may recommend a penalty to the Dean of the student's primary college. In the situation where a student has engaged in multiple instances of academic misconduct, the Dean of the student's primary major may impose additional penalties in accordance with this policy or as otherwise allowed under established College policy. Absent mitigating circumstances, the Dean's decision on additional penalties shall be communicated to the student and instructional staff member within five business days of the Dean's receipt of the Student Academic Misconduct Tracking Form.

The University may also impose additional penalties according to procedures established by an academic program or college (including the College of Graduate and Interdisciplinary Studies). In the absence of any such procedures, penalties related to academic misconduct, including the ability to repeat a course, shall be controlled by this policy and other applicable NDSU policies.

Additional penalties imposed by the university and colleges should be communicated across units that have imposed the previous penalties.

7. Student Appeals. A student who has received a penalty for academic misconduct may appeal the penalty imposed by the instructional staff member and, if applicable, the Dean of their primary major. Any such appeal must be initiated within 15 business days of the student's receipt of the notification identifying the penalty being imposed. In instances where the University is imposing additional penalties beyond those imposed by the instructional staff member, the 15-day period begins upon the notification from the Dean identified in Section 6. If a student chooses to appeal a penalty, the imposition of the penalty remains until the appeal process is resolved. A student who receives an academic misconduct notification within the last 15 business days of the spring term may submit an appeal up to 15 business days into the fall term.

All appeals must be in writing and will be reviewed ~~by the appeals board~~ in the following situations:

- a) The instructional staff member's decision was made in an arbitrary or unnecessarily harsh manner;
- b) The instructional staff member's decision was not substantiated by adequate evidence;
- c) The student's rights were violated.

In all instances, student appeals are first considered by the instructional staff member. If the instructional staff member upholds the penalty, the student shall be notified of the decision and can submit the appeal to the Chair of the instructor's department. If the Chair upholds the penalty, the student shall be notified of the decision and can submit the appeal to the Dean in the College in which the academic misconduct occurred. For penalties limited to the instructional context, the decision of the Dean is final.

In instances where the Dean has imposed additional penalties, the student's appeal shall be forwarded to the Office of the Provost for a final decision, if the decision is not overturned by the instructional staff member or the Dean.

NDSU will endeavor to complete the appeal process within 30 business days of the initiation of the appeal.

In the event that a penalty is overturned, the individual responsible for overturning the penalty shall notify the Office of the Provost so that the applicable information may be removed from the database identified in Section 4.

8. Procedures for cases involving individuals who are not NDSU students. If a person who is not an NDSU student (according to the definition in Section 1 of this policy) is involved in academic misconduct, the instructional staff member shall send a written statement describing the academic misconduct to the Provost, Vice Provost for Student Affairs and Enrollment Management, Registrar, and Director of Admission for appropriate action. Appropriate action may include, but is not limited to, holds being placed on admission or readmission to the university, and notification being sent to the individual's home institution.
9. Rescission of degrees or other academic credential(s). A degree or other academic credential(s) previously awarded may be rescinded if it is determined that the individual's actions taken to obtain the degree involved academic misconduct. The degree conferring college reserves the right to recommend to the Provost the rescission of any wrongfully obtained academic credential(s) using

their own process or policies.

- a) Written notice of the concerns and recommendation to rescind the individual's academic credential(s) shall be sent via certified mail and email with return receipt to the individual, with a hold placed on the individual's record. The individual will have 30 business days after the notice is received to respond in writing or request a hearing with the conferring college's Student Progress Committee for the undergraduate credential holder or the Graduate Council for graduate level credential holder. A recommendation by the Committee or Council to the Provost whether to rescind the academic credential(s) shall be made within 30 business days after a response is received or hearing is completed. In the absence of response, the recommendation is finalized.
- b) A decision by the Provost shall be made within 30 business days after receiving the recommendation. The graduate has 30 business days after receiving the Committee or Council recommendation to respond, in writing, to the Provost. Notice of the decision whether to rescind the academic credential(s) shall be sent to the respondent via certified mail with return receipt. The respondent may file an appeal of this decision with the President of the University within 30 business days of receiving the notice of the decision. The President's decision will normally be made within 30 business days after receiving the appeal. In the absence of response, the action is finalized.
- c) The Office of Registration and Records will be notified by the Provost of the results of the final decision on rescinding the academic credential(s).

HISTORY:

New	December 10, 1973
Amended	May 12, 1975
Amended	April 1992
Amended	December 2006
Amended	March 2007
Amended	January 27, 2011
Housekeeping	March 04, 2011hk
Amended	January 28, 2014
Housekeeping	June 15, 2018
Housekeeping	January 16, 2019
Housekeeping	March 24, 2021
Amended	May 13, 2022
Housekeeping	June 10, 2022

MEMORANDUM

To: Faculty Senate

From: Heather Higgins-Dochtermann, Director of Equal Opportunity & Title IX Compliance

Date: September 28, 2022

Regarding: Policies 129, 151, and 156

This memo is to provide information and clarification on why changes to these policies were submitted. It has long been the expectation of all new and full-time employees that the university has required trainings that must be taken. It has always been the expectation that part of an employee's responsibility is to complete these trainings. Not taking required trainings means the employee is not fulfilling their job duties and responsibilities. Many departments took it upon themselves to proactively monitor trainings of their employees. For example, many supervisors require that an employee submit their training completion from Track Training prior to their annual review.

The proposed changes to these policies do not require additional training to be taken, rather the changes provide clarity and transparency to something that already exists. As with any employment requirement, it is best if the requirement is clearly and plainly documented. Putting this language into these policies is doing just that. It is important to see that the proposed language states an employee "may not be eligible for salary adjustments until completion of the training".

To be clear, the Equal Opportunity & Title IX Compliance Office has no role in determining eligibility for salary adjustments for any employee. That is the responsibility of each department's leadership. Our office's role is to provide the training and information on training completion for the Equal Opportunity/Title IX Compliance as well as the Supervisor Supplement: Equal Opportunity/Title IX Compliance trainings.

It should be noted that our office consulted with HR before submitting these proposed changes. Additionally, Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304. If employees do not complete required training such as this, and then NDSU is audited by a state or federal agency, the university could face serious consequences for failing to have a high rate of training compliance for campus.

I would be happy to answer any questions about this topic.

Policy Change Cover Sheet

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

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

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

Policy Number and Name:

Policy 129: Salary Administration

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):

Added Section 2.1.3 that delineates requirements to be eligible for salary adjustments, including completion of required trainings. This change does not require additional training, rather it holds employees accountable to take training already required.

Also updated gendered language to inclusive language.

Is this a federal or state mandate: Yes No

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

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

Equal Opportunity and Title IX Compliance Office

Date Submitted to SCC Secretary: May 12, 2022

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

heather.higginsdocht@ndsus.edu

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

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

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

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

North Dakota State University

Policy Manual

SECTION 129

SALARY ADMINISTRATION POLICY

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

1. Philosophy and Objectives

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

first, be responsive to market influences with consideration for internal equity (see Definitions portion of this policy);

second, recognize different performance levels among employees;

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

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

2. Methods and Guidelines

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

2.1 Salary adjustments are divided into two main categories:

- a) annual budgeted salary adjustments and
- b) other salary adjustments.

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

- a) President's Office provides any relevant legislative or Board directives regarding salary adjustments after consultation with the NDUS office staff and the Chancellor's Cabinet.
- b) The President and Vice Presidents determine priority needs of the institution

that require use of salary dollars (new positions and/or reallocations) based on information from sources such as deans, directors, department chairs, the Office of Human Resources/Payroll, the Office of the Provost, the President of the Faculty Senate, the President of the Staff Senate, the Program Review Committee, and Planning, Priorities and Resources Committee.

- c) The President and the Vice Presidents establish guidelines, using institutionally recognized market and internal equity data and input from the campus community. They communicate the guidelines to be used in making adjustment decisions, indicating the proportion of salary dollars allocated to each type (see Definitions). These types and proportions are determined according to institutional needs and initiatives whenever campus-wide adjustments are possible.
- d) Once the types and proportions have been determined, the President and Vice Presidents allocate remaining salary adjustment pools to their respective administrative units.
- e) Unit administrators, using the guidelines established by the President and Vice Presidents, allocate the salary pools within their units.
- f) Within the units, each administrator/supervisor develops individual salary adjustment recommendations using performance documentation and other data appropriate to that year's guidelines (institutionally recognized internal equity or market studies, for example).
- g) Unit administrators review and discuss recommendations and documentation for the recommendations (performance documentation, institutionally recognized market or internal equity data) with the administrator/supervisor, adjust the recommendations and/or forward the recommendations to the appropriate vice president.
- h) Prior to recommending the final salary adjustments to the President, each Vice President will consult with the Director of Human Resources/Payroll and/or the Vice Provost for Faculty and Equity to review implications of the recommended adjustments for the campus as a whole and to advise the Vice Presidents on whether there is appropriate documentation for the adjustment, the potential impact on equity generally or whether the proposed adjustment is in compliance with policy.
- i) President presents the budget including salary adjustments to the Chancellor.
- j) Following SBHE approval of the budget, administrators/supervisors, when possible, will inform each employee of their/his/her salary for the coming fiscal year and the basis for the salary decision prior to the distribution of the University's annual salary notifications.

2.1.2 Other salary adjustments job family or band reassignment adjustments (if applicable), promotions, market, internal equity and responsibility adjustments including interim appointments and significant administrative assignments (see Guidelines for Other Salary Adjustments portion of this policy.).

2.1.2.1.3 Salary adjustment eligibility requirements include successful completion of

probation/evaluation period; satisfactory performance evaluations on or after the previous fiscal year start date with no documented performance concerns; compliance with NDSU Policy 100: Equal Opportunity and Non-Discrimination and NDSU Policy 162: Sexual and Gender-Based Harassment and Sexual Misconduct; and completion of required trainings (such as Baseline Safety Training, Equal Opportunity/Title IX Training, etc.).

3. Process for Impartial Review of Salary Adjustment Decisions

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

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

- a) **Staff employees:** NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment.
- b) **Faculty:** NDSU Policy Manual, Section 353, Grievances - Faculty. This grievance procedure is available to instructors, assistant, associate and full professors, lecturers and graduate teaching assistants.
- c) **Nonfaculty, nonbanded employees:** NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment. The Staff Personnel Board described in Step 4 will consist of other nonfaculty, nonbanded employees.

3.2 The second is available to **any employee** when theirhis/her salary decision is alleged to have been made on the basis of an employee's age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer: NDSU Policy Manual, Section 156, Equal Opportunity Grievance Procedures.

4. Distribution and Communication of the Policy

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

5. Definitions

At NDSU, annual salary adjustments are based on one or more of the following:

- 5.1 **Cost of living adjustment** is an across-the-board amount related to—but not necessarily the same as—the changes in the cost of living (determined by the Consumer Price Index which reflects the changes in the cost of various consumer items during the previous 12 month period). Cost of living adjustments become part of an individual's salary base.
- 5.2 **Internal equity** is a comparison of salaries for similar positions at NDSU (or in the University System and/or State government when there is a limited basis for comparison at NDSU) based on appropriate and relevant data including these factors: **previous related experience**

outside the university, a sustained change in **responsibility** that is more or less than what is considered normal for that type of position, **education**, or **responsibility level** within a group of similar positions at NDSU. Internal equity adjustments become part of an individual's base salary.

NOTE: **length of service** is relevant for internal equity ONLY in the context of performance; that is, consideration of performance should override length of service in salary decisions.

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

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

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

6. Guidelines for Other Salary Adjustments

All staff positions are assigned to a salary band. The bands include job families with market levels for each position. (NDUS Human Resource Policy Manual 5.1)

Individual salary adjustments may be made throughout the year for the following reasons:

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

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

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

6.2.2 **Market adjustments.** A market adjustment is intended to mitigate a documented external inequity using North Dakota University System recognized market data. Market adjustments are normally limited to ten percent but may exceed that amount

with supportive documentation and appropriate administrative approval. Market adjustment proposals must consider institutional internal equity.

6.3 Responsibility adjustments including interim and administrative appointments

- 6.3.1 Adjustments for substantial, documented reassignments or changes in the duties/responsibilities within the same position may be initiated after consultation with the appropriate vice president or president. Documentation should accompany the NDSU Change Form 101.
- 6.3.2 For staff employees, rationale will include changes in the level of responsibility as documented by a Position Description; and changes in band and/or job family.
- 6.3.3 Adjustments for interim appointments and administrative assignments are limited to the period for which these assignments are made and do not become part of the salary base. For staff interim appointments, increases should not be given for interim periods of less than thirty days and staff employees may not retain the higher compensation level for more than thirty days after the interim period ceases to exist. (NDUS Human Resource Policy Manual 5.1.3.1).

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

HISTORY:

New	November 1995
Amended	November 1996
Amended	January 1997
Amended	May 1997
Amended	December 1998
Amended	July 1999
Amended	August 1999
Amended	October 2005
Amended	October 2007
Housekeeping	July 2010
Amended	October 2010
Housekeeping	February 14, 2011
Housekeeping	April 8, 2011
Amended	January 3, 2013
Housekeeping	July 17, 2013
Housekeeping	October 5, 2015
Amended	September 19, 2017

Policy Change Cover Sheet

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

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

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

Policy Number and Name:

Policy 151: Code of Conduct

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):

Added to Section 2 the expectation that employees complete required trainings in a timely manner, and if this is not done, employees may not be eligible for salary adjustments until completion of the training. This change does not require additional training, rather it holds employees accountable to take training already required.

Other submitted policy changes are to correct an office name and a policy name. Although these changes by themselves would be housekeeping changes, they are being submitted with the Section 2 change so corrections will be done simultaneously.

Is this a federal or state mandate: Yes No

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

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

Equal Opportunity and Title IX Compliance Office

Date Submitted to SCC Secretary: May 12, 2022

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

heather.higginsdocht@ndsus.edu

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

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

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

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

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 establishes minimum standards for all NDSU employees. NDSU is committed to uphold the highest ethical and professional standards. All NDSU 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.

NDSU supports an environment that is free of discrimination, harassment, and bullying. All NDSU 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 NDSU, 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 NDSU Policy 155 Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law, as outlined in NDSU Policy 162: Sexual Harassment, Gender-Based Harassment, [and Sexual Misconduct](#) ~~and Title IX~~, SBHE Policy 603.1, or NDSU Policy 100: Equal Opportunity and Non-Discrimination [Policy](#) is prohibited. NDSU Policy [156.1: Title IX Complaint Procedures](#) governs sexual harassment which violates Title IX of the Education Amendments of 1972.

All NDSU personnel are subject to the rules and policies of the North Dakota State Board of Higher Education, NDSU, and their respective department or unit. NDSU expects all University personnel to be aware of, and comply with, NDSU's policies and procedures that apply to them, and requires those reporting to them to do the same. Employees are expected to uphold the values of honesty, respect, integrity, and trust.

[Employees are expected to complete all required training in a timely manner. If employees do not complete their required training, the employee may not be eligible for a salary adjustment until the required training is completed per NDSU Policy 129: Salary Administration.](#)

NDSU requires all employees to act professionally in their interactions with others including:

- A. Following training and job specific requirements as stated in the employee's job description or appointment letter, or as assigned by respective department or unit,
- B. Respecting the value, creativity, and diversity of all persons, which includes diversity of opinions and professional approaches to doing things, (See Policy 100: Equal

Opportunity and Non-discrimination Policy, Policy 325: Academic Freedom, or other relevant policies for guidance.)

- C. Contributing to an environment of respectful and productive working relationships with those with whom the person interacts, and
- D. Making good faith efforts to resolve differences constructively.

2.1 For purposes of this policy, bullying is defined as:

2.1.1 Conduct directed at another that is severe, pervasive, or persistent;

2.1.2 Is of a nature that would cause a reasonable person in the target's position substantial emotional distress and undermine their ability to work, study, or participate in their regular life activities; and

2.1.3 Actually does cause the target substantial emotional distress and undermines the target's ability to work, study, or participate in the target's regular life activities.

2.2 Bullying by electronic means is prohibited under NDSU Policy 158 and N.D.C.C. 12.1-17-07.

2.3 It is not bullying when a supervisor, or peer acting in an evaluative capacity, notes unsatisfactory performance or misconduct; institutes proceedings for workplace sanctions, nonrenewal, or dismissal for cause; provides feedback regarding work behavior or performance; or engages in discretionary actions related to the evaluative capacity, so long as the actions are made in accordance with the appropriate criteria and are not a clear abuse of discretion. A target of bullying does not have to be a member of a protected class listed in NDSU Policy 100.

2.4 NDSU values and promotes freedom of expression and inquiry as provided under applicable law. Nothing in this policy is intended to limit or restrict a person's First Amendment rights or rights to academic freedom; however, such rights do not include the right to engage in workplace bullying.

2.5 Resources to assist with an informal resolution are available through the Office of the Ombuds. If informal resolution is not feasible or any party wishes to follow the formal process, suspected violations should be reported to the impacted party's immediate supervisor and to the NDSU [Equal Opportunity and Title IX Compliance Equity](#) Office, 701.231.7708 or ndsuetoo@ndsuetoo.edu. In the case the immediate supervisor is involved in the suspected violation, the violation should be reported to the next level of supervisor.

3. Conflicts of Interest.

All NDSU employees are expected to perform their duties conscientiously, honestly, and in compliance with Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. All employees must comply with applicable federal and state laws. Employees may not unlawfully use their position, or the knowledge gained as a result of their position for private or personal advantage. All 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 or NDSU policy is encouraged to communicate with a superior or appropriate administrative official at NDSU.

4. Outside Activities and Employment.

Employees are encouraged to support the community by participating in religious, charitable, educational, and civic activities. However, employees must comply with applicable federal and state laws, as well as Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving NDSU 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 NDSU's best interest.

5. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions.
Excluding *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, employees may not accept favor of any person or organization with whom or with which NDSU has, or is likely to have, business dealings. Similarly, employees may not accept any other preferential treatment under circumstances that because of their position with NDSU, the preferential treatment may influence or be perceived as influencing their official conduct. Employees may not receive payment or compensation of any kind from any source for NDSU duties and responsibilities, except as authorized under applicable law or NDUS and NDSU pay policies. Specifically, the acceptance of "kickbacks" or commissions in any form from vendors, suppliers or others is prohibited.

6. NDSU Funds and Other Assets
Employees who have access to NDSU funds and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDSU 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 appropriate administrative official at NDSU. .

Employees responsible for spending or approving expenditure of NDSU funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of NDSU to ensure that good value is received for every expenditure. NDSU funds and all other assets are for NDSU purposes only and not for personal use or benefit. NDSU 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 NDSU policy.

7. NDSU Records and Communications.
Accurate and reliable records of many kinds are necessary to meet NDUS NDSU legal and financial obligations and to manage the affairs of the NDUSNDSU. NDUS NDSU books and records must reflect in an accurate and timely manner all business transactions. Employees responsible for accounting and recordkeeping must fully disclose and record all assets and liabilities and exercise diligence in enforcing these requirements. 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.
8. Dealing with Outside People and Organizations.
NDSU employees must take care to separate their personal roles from their NDSU positions when communicating on matters not involving NDSU business. They may not use NDSU identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve NDSU business, employees may not represent that they speak for the NDSU, unless that is one of their duties or they are otherwise authorized to do so. When dealing with anyone outside the NDSU, including public officials, employees must take care not to compromise the integrity or damage the reputation of NDSU.

An employee of NDSU authorized to sell or lease any property or make any contract in the employee'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 48-01.2-08, employees may not have any interest in a public construction or repair contract.

An employee may not have an interest in any contract involving the expenditure of public or institutional funds entered into by NDSU unless:

- a. N.D.C.C. Sections 12.1-13-03 and 48-01.2-08 do not apply; and
- b. The contract is approved by the NDSU President or designee 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.

Employees have an obligation to act in the best interests of NDSU. Employees must comply with Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities.

9. Prompt Communications.

In all matters involving communication with NDSU students, customers, suppliers, government authorities, the public and others, employees must endeavor to make complete, accurate, and timely communications and respond promptly and courteously to all proper requests for information and complaints.

10. Privacy, Confidentiality and Open Records.

Employees must at all times comply with applicable laws, regulations and SBHE and NDSU policies concerning privacy, confidential records, access to open records and records retention.11. Employees shall report suspected violations of this Code to their superior, or appropriate administrative official at NDSU. In cases that involve the employee's superior, suspected violations shall be reported to the superior's supervisor or designee. Alleged violations of this Code involving NDSU employees shall be investigated by the appropriate NDSU officer. Investigations may be conducted by, or in conjunction with, the Office of Human Resources and Payroll and/or the Office of the Vice Provost for Faculty Affairs and Equity. Investigations shall occur using procedures and best practices developed by the Office of Human Resources and Payroll and/or the Office of the Vice Provost for Faculty Affairs and Equity. All 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.

11.1 Suspected violations of this policy related to fraud should be reported utilizing the NDSU [fraud hotline](#)

11.2 Any employee who makes a report in good faith shall be protected against retaliation of any kind; any employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline.

11.3 Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.

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.

NDSU requires that each new employee reviews 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 151.1: 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 and Voting Rights 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 Conflict of Interest – Public Health Service Sponsored Research](#)

[NDSU Policy 603.3: Nepotism](#)

[NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility](#)
[NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest](#)
[NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials](#)
[NDUS Policy 803.1: Purchasing Procedures](#)
[Conflict of Interest Form](#)
[NDSU Consulting Authorization Request Form](#)
[NDSU Fraud Hotline](#)
[AAUP Statement of Professional Ethics](#)
[NDSU Research Foundation](#)
[N.D.C.C. Ch. 12.1-13 \(See section 12.1-13-03: Public servant's interest in public contracts.\)](#)
[N.D.C.C. Ch.48-01.2: \(See section 48-01.2-08: Officers must not be interested in contract.\)](#)
[N.D.C.C. Ch. 44-04: \(See section 44-04-09: Nepotism.\)](#)

HISTORY:

New	July 1990
Amended	November 1996
Amended	June 2000
Amended	October 2001
Amended	December 2002
Housekeeping	August 2009
Amended	March 25, 2011
Housekeeping	June 24, 2011
Housekeeping	August 18, 2011
Housekeeping	February 1, 2012
Housekeeping	November 19, 2012
Amended	May 6, 2014
Amended	December 2, 2016
Amended	March 5, 2020
Amended	June 9, 2020
Amended	August 14, 2020
Amended	December 14, 2020

Policy Change Cover Sheet

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

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

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

Policy Number and Name:

Policy 156: Discrimination, Harassment, and Retaliation Complaint Procedures

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):

Added to Section 10.4 the expectation that employees complete the required Equal Opportunity/Title IX training in a timely manner or will not be eligible for salary adjustments until completion of the training. This change does not require additional training, rather it holds employees accountable to take training already required.

Other submitted policy changes are to correct links and an office name. Although these changes by themselves would be housekeeping changes, they are being submitted with the Section 10.4 change so corrections will be done simultaneously.

Is this a federal or state mandate: Yes No

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

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

Equal Opportunity and Title IX Compliance Office

Date Submitted to SCC Secretary: May 12, 2022

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

heather.higginsdocht@ndsu.edu

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

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

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

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

North Dakota State University

Policy Manual

SECTION 156

DISCRIMINATION, HARASSMENT, AND RETALIATION COMPLAINT PROCEDURES

SOURCE: NDSU President

1. INTRODUCTION

- 1.1 North Dakota State University (NDSU) prohibits discrimination in its employment decisions and educational programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, status as a U.S. veteran, or participation in lawful activity off NDSU's premises during nonworking hours which is not in direct conflict with the essential business-related interests of NDSU, or other protected classes as defined by federal, state, or local law. (See [NDSU Section 100, Equal Opportunity and Non-Discrimination Policy](#)).
- 1.2 NDSU is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of its university community. Specifically, NDSU is committed to taking action to:
 - 1) Stop discrimination;
 - 2) Remedy the effects of discrimination;
 - 3) Prevent the recurrence of discrimination; and
 - 4) Educate the university community about their rights and responsibilities regarding discrimination.
- 1.3 NDSU has committed itself to the establishment and adoption of procedures to resolve complaints of discrimination in violation of NDSU's Equal Opportunity and Non-Discrimination Policy, including complaints of harassment or retaliation. A central purpose of these complaint procedures is to provide a system at NDSU to conduct adequate, reliable, and impartial investigations of complaints of discrimination. NDSU's primary concern is to enact and implement complaint procedures that encourage reporting of discrimination and that ensure the rights of NDSU students, employees, and all other participants in its educational programs and activities are protected.

2. DEFINITIONS

- 2.1 **Discrimination** – Different or unequal treatment of an individual (or group), based on one or more of the protected classes of the individual (or group), except as where permitted or required by law, that negatively affects their education, employment, or other participation in educational programs or activities.
 - 2.1.1 Protected classes for purposes of these procedures are: age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, status as a U.S.

veteran, or participation in lawful activity off NDSU's premises during nonworking hours, which is not in direct conflict with the essential business-related interests of NDSU. (See [NDSU Section 100, Equal Opportunity and Non-Discrimination Policy](#)).

- 2.2 **Discrimination complaint** – A complaint alleging discrimination in violation of NDSU's Equal Opportunity and Non-Discrimination Policy, including complaints of harassment or retaliation.
- 2.3 **Harassment** - A form of discrimination; unwelcome oral, written, graphic, or physical conduct, based on one or more of the protected classes (see 2.1.1) of an individual (or group), that is sufficiently severe, persistent, or pervasive so as to unreasonably interfere with their education, employment, or other participation in educational programs or activities or that creates a working, learning, or educational program or activity environment that a reasonable person would find hostile, intimidating, or abusive. Harassment may include, but is not limited to the following, when a part of conduct that meets the standard set forth above: threats, physical contact or violence, offensive jokes, insults or put-downs, slurs or name calling, vandalism/graffiti, or offensive objects or pictures. Petty slights, annoyances, and isolated incidents (unless very serious) typically do not rise to the level of harassment.

3. FILING A DISCRIMINATION COMPLAINT

- 3.1 Current or former NDSU students or employees, applicants for admission or employment, or any other participants in NDSU's educational programs or activities, or any group thereof, are encouraged to file a complaint if they believe they have been discriminated against in violation of NDSU's Equal Opportunity and Non-Discrimination Policy, which may include a complaint of harassment or retaliation. A complaint may be filed concerning alleged discriminatory conduct that occurred on NDSU's premises or off campus.

- 3.1.1 **How to file a discrimination complaint** - A discrimination complaint is initiated by completing a NDSU Discrimination/Harassment/Retaliation Complaint Form (Complaint Form) and filing it with the Equal Opportunity and Title IX Compliance Director. The Complaint Form is available online at https://ndstate.co1.qualtrics.com/jfe/form/SV_cYXmO1BTRKZi8HY [https://www.ndsu.edu/equity/filing_a_report_or_complaint/and then clicking on File a Complaint](https://www.ndsu.edu/equity/filing_a_report_or_complaint/and_then_clicking_on_File_a_Complaint) or by contacting the Equal Opportunity and Title IX Compliance Office in Old Main 201, NDSU Main Campus, Fargo, ND 58108, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office is available to assist with completing the Complaint Form as needed.

The Equal Opportunity and Title IX Compliance Office will investigate all discrimination, harassment, retaliation, and sexual misconduct complaints involving employees utilizing the procedures set forth in this policy and will coordinate the resolution of those complaints.

The Equal Opportunity and Title IX Compliance Office may delegate discrimination, harassment, retaliation, and sexual misconduct complaints to another appropriately trained individual or office as needed if the complaint identifies an alleged violation by a student. The resolution of the complaint, including pre-hearing, hearing and appeals, will be conducted by the Dean of Students Office, in coordination with the Equal Opportunity and Title IX Compliance Office, pursuant to NDSU Policy 601. Additionally, the Equal Opportunity and Title IX Compliance Office may delegate

discrimination, harassment, retaliation, and sexual misconduct complaints to Human Resources if the complaint identifies an alleged violation by a staff member.

- 3.1.2 **Deadline for filing a discrimination complaint** - NDSU encourages those who believe they have been discriminated against to file a discrimination complaint as soon as possible.
- 3.1.3 **Confidentiality cannot be guaranteed** - Depending on the nature of the discrimination complaint, NDSU will keep the complaint and its investigation confidential to the extent that it is possible. However, confidentiality cannot be guaranteed under these procedures as NDSU may have an obligation to take specific actions once aware of alleged discriminatory conduct.
- 3.1.4 **Confidential support resources** - If seeking a confidential resource, NDSU students may contact the NDSU Counseling Center at 212 Ceres Hall, NDSU Main Campus, 701-231-7671 and the Student Health Service (Wallman Wellness Center, NDSU Main Campus, 701-231-7331). The Faculty/Staff Assistance Program, as described in [NDSU Section 134](#), is a confidential resource for NDSU employees. Additionally, the Ombudsperson is a confidential resource for NDSU faculty and NDSU graduate students. The Ombudsperson may be contacted at the NDSU Main Library, Lower Level, Room 20C, 701-231-5114, or kristine.paranica@ndsu.edu.
- 3.1.5 **Anonymous reporting** - NDSU students, faculty, and staff may submit an anonymous form to report acts of bias, bigotry, or hate at NDSU. NDSU may be limited in its ability to respond to a report if it is submitted anonymously. Additionally, in very limited circumstances, NDSU may need to take action to learn the identity of an individual who submitted an anonymous report. For more information, see https://ndstate.co1.qualtrics.com/jfe/form/SV_cYXmO1BTRKZi8HY, https://www.ndsu.edu/equity/filing_a_report_or_complaint/

4. RETALIATION PROHIBITED

- 4.1 NDSU encourages reporting of discrimination and will not discipline any individual (or group) who makes a good faith report of discrimination. Any individual (or group) reporting discrimination or otherwise participating in these procedures is entitled to protection from retaliation as a result of their activity under these procedures. Retaliation may include, but is not limited to, intimidation, harassment, reprisal, or other negative changes in education or employment. Anyone who believes they have been retaliated against for their participation under these procedures is encouraged to file a Complaint Form, which will be processed under these procedures as a separate matter from the originally filed discrimination complaint, if any. Anyone found responsible for retaliation will be subject to disciplinary action, up to and including termination or expulsion.

5. REMEDIAL MEASURES

- 5.1 Upon receipt of a discrimination complaint or as otherwise informed of alleged discrimination under these procedures, NDSU will, where appropriate, take reasonable steps to remedy the harm to those affected by discriminatory conduct. Remedial measures may include, but are not limited to, a no contact directive, a safety plan, residence modifications, academic modifications and support, work schedule and/or location modifications, parking modifications, referral to counseling or other health services, administrative leave, temporary suspension, or any other measure deemed appropriate by NDSU.

6. PRELIMINARY EVALUATION OF DISCRIMINATION COMPLAINT

- 6.1 **Preliminary evaluation determination** - The Equal Opportunity and Title IX Compliance Director will evaluate the discrimination complaint and decide to either: (1) pursue further action; or (2) dismiss the discrimination complaint. A discrimination complaint may be dismissed if: (1) it fails to allege any facts that suggest discrimination, harassment, or retaliation; or (2) an appropriate resolution or remedy has already been achieved. NDSU will not dismiss a complaint because it alleges discriminatory conduct that took place off campus. Rather, in the course of its investigation of the complaint, NDSU will determine whether the alleged off-campus conduct: (1) occurred within the context of an educational program or activity; and/or (2) has created or reasonably may create a hostile educational or work environment.

Unless there are extenuating circumstances, the preliminary evaluation will be completed within 3 business days of receipt of the discrimination complaint and the decision will be provided in writing to the individual (or group) who filed the complaint. If the Equal Opportunity and Title IX Compliance Director requires further information from the individual (or group) who filed the discrimination complaint before making a decision, the decision will be made within 3 business days of receipt of the additional information requested. In the case of a dismissal, the Equal Opportunity and Title IX Compliance Director may provide information or guidance regarding other avenues for support or resolution of the complaint, if appropriate and available.

If the complaint is dismissed, the Reporting Party may submit a request for reconsideration of the complaint within 3 business days of receipt of the preliminary evaluation determination. The Reporting Party may submit additional documentation or information that supplements the original complaint. This may include, but is not limited to, additional evidence or names of witnesses. Complaints resubmitted with no additional information will not be reviewed for reconsideration. Submit all reconsiderations to the Equal Opportunity and Title IX Compliance Director or by contacting the Equal Opportunity and Title IX Compliance Office in Old Main 201, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. As needed, the Equal Opportunity and Title IX Compliance Office is available to facilitate finding a resource to assist the party with completing a request for reconsideration.

- 6.2 **Notice of action** – If the Equal Opportunity and Title IX Compliance Director determines that further action on a discrimination complaint is warranted, the Equal Opportunity and Title IX Compliance Office will provide written notice to the individual (or group) who filed the discrimination complaint and the individual (or group) against whom the complaint was filed (collectively, the Parties) within 3 business days of the determination made pursuant to 6.1 unless there are extenuating circumstances that delay the proposed timeline. The written notice will include, at a minimum: (1) the names of the Parties; (2) the basis for the discrimination complaint; (3) a statement that retaliation is prohibited; (4) a statement that requested responses or documentation must be provided in a timely manner; and (5) a description of the resolution process, including a copy of the relevant procedures. A modified notice of action may also be provided to an administrator, supervisor, or the Dean of Students Office who has control over the environment in which the alleged discriminatory conduct took place. The intent of the modified notice of action is to preserve confidentiality to the extent possible while also putting the administrator, supervisor, or Dean of Students Office on notice of their responsibility to monitor for retaliation or further discrimination.

7. INFORMAL RESOLUTION

- 7.1 **Informal resolution defined** - Informal resolution is a process in which the Parties attempt to agree upon the resolution of a discrimination complaint without a comprehensive investigatory and determination process. Unless there are extenuating circumstances, the entire informal resolution process will be completed within 30 calendar days of its initiation.
- 7.2 **Informal resolution is optional** - When providing the notice of action to the Parties, the [Equal Opportunity and Title IX Compliance Equity](#) Office may inquire if the Parties are interested in attempting to resolve the discrimination complaint through informal resolution. The Parties will have 3 business days to individually decide if they would like to use informal resolution and should inform the Equal Opportunity and Title IX Compliance Office of their decisions in writing. The informal resolution process will only be used upon mutual agreement of the Parties. Either party may inform the Equal Opportunity and Title IX Compliance Office at any time that they want to discontinue their participation in the informal resolution process and the formal resolution process will commence. The Equal Opportunity and Title IX Compliance Director reserves the right to deny the Parties the option of using the informal resolution process if it is deemed to be inappropriate or inadequate as applied to a particular discrimination complaint.
- 7.3 **Informal resolution process** - Informal resolution may involve the Equal Opportunity and Title IX Compliance Office, the Dean of Students Office, HR, administrators, supervisors, and/or external moderators working with the Parties to arrive at an appropriate and mutually agreeable resolution of the discrimination complaint. The informal resolution process will not require that the Parties meet face-to-face to resolve the discrimination complaint but may allow it, depending on the nature of the complaint and the power differential between the Parties.
- 7.4 **Informal resolution agreement** - If the Parties resolve the discrimination complaint through the informal resolution process, the Equal Opportunity and Title IX Compliance Office will draft an informal resolution agreement, which the Parties will sign. A signed copy of the informal resolution agreement will be provided to the Parties, as well as to any administrator, or supervisor provided with a modified notice of action as described in 6.2. There is no available appeal of a signed informal resolution agreement.

8. FORMAL RESOLUTION

- 8.1 **Formal resolution applicability** - The formal resolution process will commence if: (1) either party elects to use the formal resolution process instead of the informal resolution process; (2) the Parties are unable to mutually agree upon a resolution under the informal resolution process; or (3) the Equal Opportunity and Title IX Compliance Director determines the informal resolution process is inappropriate or inadequate as applied to a particular discrimination complaint.
- 8.2 **Comprehensive investigation** - A properly trained investigator(s) will conduct a comprehensive investigation under the formal resolution process in an adequate, reliable, and impartial manner. Unless there are extenuating circumstances, including when the Parties are unable to mutually agree upon a resolution under the informal resolution process, a comprehensive investigation will commence within 5 business days of providing the notice of action to the Parties as described in 6.2. A comprehensive investigation will include the following steps, as relevant and available:

- (1) An interview with each of the Parties;
- (2) Interviews with witnesses identified by the Parties or determined otherwise;
- (3) A review of evidence provided by the Parties or collected otherwise; and
- (4) An opportunity for the parties to submit questions of each other and/or the witnesses. Upon receipt of any such questions, the investigators will determine which questions, if any are relevant, and present them to the intended recipient for a response.

Equal opportunity will be given to the Parties to access and present evidence during the investigation. The Parties will be provided with periodic status updates throughout the course of the investigation.

- 8.3 **Investigator(s)** - A staff member(s) in the Equal Opportunity and Title IX Compliance Office may conduct the comprehensive investigation of the discrimination complaint or the Equal Opportunity and Title IX Compliance Director may delegate investigative duties to another properly trained investigator(s). Within 3 business days of notice of the identity of an investigator(s), either party may provide the Equal Opportunity and Title IX Compliance Director with a written request asking that another investigator(s) be assigned if the party believes there is a conflict of interest with the investigator(s). Where appropriate, a new investigator(s) will be assigned and the Equal Opportunity and Title IX Compliance Director will provide the Parties with written notice of the newly assigned investigator(s).
- 8.4 **Responsibilities of the Parties** – Deadlines for completing actions under these procedures will be communicated in writing to the Parties, who must make every effort to comply with the deadlines communicated to them. Timeliness is particularly important under the formal resolution process as determinations may be made based on available information if a party fails to respond in a timely manner to action requested by an investigator(s). In extenuating circumstances, an extension to a deadline may be granted by the Equal Opportunity and Title IX Compliance Director and will be communicated in writing to the Parties.
- 8.5 **Standard of proof** – In all cases, the applicable standard of proof for determining responsibility for an alleged violation is “preponderance of the evidence” – meaning, in order for an individual (or group) against whom a discrimination complaint was filed to be held responsible for discrimination, it must be determined that it is *more likely than not* that the individual (or group) violated NDSU’s Equal Opportunity and Non-Discrimination Policy, which may include harassment or retaliation.

In cases involving an alleged violation by an employee, the determination of responsibility shall be made by the investigator(s).

In cases involving an alleged violation by a student, the determination of responsibility shall be made by the Hearing Officer, consistent with the procedures detailed in NDSU Policy 601.

- 8.6 **Preliminary investigative report** – After an investigator(s) has finished the comprehensive investigation of a discrimination complaint, the investigator(s) will draft a preliminary investigative report.

For complaints involving an alleged violation by a student, the report shall include the findings of the investigation along with a recommendation for dismissal of the complaint or a recommendation of pursuing action. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue action; if such reasonable cause is not present, the complaint shall be dismissed. Reasonable cause is a lower

standard than preponderance of the evidence, and shall mean that there are just or legitimate grounds to believe that a violation has occurred.

For all other complaints, the report shall include the findings of the investigation along with a determination whether the individual (or group) against whom the discrimination complaint was filed is responsible for discrimination, including harassment or retaliation.

The report will also include, at a minimum, a summary of the relevant information gathered during interviews and otherwise that informed the preliminary investigation. Unless there are extenuating circumstances, the report will be drafted within 90 calendar days or a reasonable amount of time after initiation of the comprehensive investigation. If the report is not completed within 90 days, the Investigator will notify Parties and communicate the reason for the delay. The report will be provided to the Parties and, if applicable, a Review Committee as determined by the Equal Opportunity and Title IX Compliance Office (see 8.7). The Parties will have 5 business days from receipt of the report to respond to the preliminary investigative report and/or any information found in the report in writing. Parties may request an extension, which may or may not be granted. As needed, the Equal Opportunity and Title IX Compliance Office is available to facilitate finding a resource to assist a party with putting its response in writing.

8.7 Review Committee – A Review Committee, at the discretion of the Equal Opportunity and Title IX Compliance Office, may be utilized to provide feedback on the preliminary investigative report. Unless there are extenuating circumstances, a Review Committee will meet within 10 calendar days of issuance of the preliminary investigative report in order to finalize the investigative report. The Review Committee will be comprised of no fewer than 3 properly trained NDSU faculty or staff members that do not have a conflict of interest with the Parties. If a party believes there is a conflict of interest with a member(s) of the Review Committee, the party should follow the procedures and deadline established in 8.3 to dispute the member(s). Prior to meeting, Review Committee members will review the preliminary investigative report and any written response to the report made by the Parties. The Review Committee may ask the investigator(s) who issued the preliminary investigative report to be available during their meeting in order to answer questions related to the investigation and to provide access to documentation in the investigative file as needed. In limited circumstances, the Review Committee may request that the investigator(s) gather additional information if the committee decides it cannot make a recommendation without the additional information. In that case, each party will be provided with the additional information gathered and will have the opportunity to respond to it in writing.

8.8 Final investigative report – Upon completion of any feedback provided by a Review Committee, the preliminary investigation report will become the final investigative report. For complaints involving an alleged violation by a student, the final report shall be provided to the Dean of Students Office along with a recommendation for dismissal of the complaint or a recommendation of pursuing action. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue action; if such reasonable cause is not present, the complaint shall be dismissed.

The final investigative report for employees will include recommended disciplinary action, if any, in addition to a finding as to whether, discriminatory conduct, including harassment or retaliation, occurred. The final investigative report as well as notice of the right to appeal for employees as afforded in 8.12, will be provided in writing to the Parties.

- 8.9 **Disciplinary action for discriminatory conduct** – NDSU does not tolerate discrimination, including harassment or retaliation, and will take appropriate disciplinary action against anyone found responsible for discrimination. Students found responsible for discrimination under the procedures in Rights and Responsibilities of Community: A Code of Student Conduct (Section 601) will be subject to disciplinary action, up to and including expulsion. Employees found responsible for discrimination under these procedures will be subject to disciplinary action, up to and including termination. The disciplinary action recommended by the Review Committee will depend on the severity of the discriminatory conduct and whether the individual (or group) was previously found responsible for discrimination.
- 8.10 **Imposition of disciplinary action** –If neither party exercises the right to appeal as afforded in 8.12, the Equal Opportunity and Title IX Compliance Director will either: (1) notify any administrator or supervisor provided with a modified notice of action as described in 6.2 that the matter has been resolved without recommended disciplinary action; or (2) provide the final investigative report to the appropriate administrator, supervisor, whether previously provided a modified notice of action as described in 6.2 or otherwise, and consult with the administrator or supervisor regarding imposition of the recommended disciplinary action. If either party exercises the right to appeal, (1) or (2) will be conducted by the Equal Opportunity and Title IX Compliance Director once the appeal process has concluded.

Disciplinary action will be imposed for employees by the appropriate administrator or supervisor on behalf of NDSU. If the administrator or supervisor disagrees with the recommended disciplinary action, the administrator or supervisor must provide a basis for disagreement in writing to the Equal Opportunity and Title IX Compliance Director within 3 business days of receipt of the final investigative report.

- 8.11 **Conclusion of formal resolution** – The formal resolution process shall be carried out using reasonably prompt time frames and without deliberate indifference pursuant to these Procedures and any applicable NDSU policies.
- 8.12 **Appeal of investigative report** – Within 5 business days of receipt of the investigative report either party may appeal the report by completing a NDSU Discrimination Appeal Form (Appeal Form) and filing it with the Equal Opportunity and Title IX Compliance Director. The Appeal Form is available online at https://www.ndsu.edu/fileadmin/equity/Equity/Title_IX_Forms/Appeal_Form.pdf https://www.ndsu.edu/equity/filing_a_report_or_complaint/and_clicking_on_Discrimination/Harassment/Retaliation/Sexual_Misconduct_Appeal_Form or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Appeal Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equal Opportunity and Title IX Compliance Office. As needed, the Equal Opportunity and Title IX Compliance Office is available to facilitate finding a resource to assist a party with completing the Appeal Form.

The grounds upon which a party can request an appeal are: (1) the recommended disciplinary action is substantially disproportionate to the findings; (2) procedural error led to an improper investigative report; and/or (3) new evidence that was previously unavailable should be considered as it could have had a significant impact on the investigative report. If an appeal is granted by the Equal Opportunity and Title IX Compliance Director under (3), the Equal Opportunity and Title IX Compliance Director will require that the Review Committee meet again to determine if the investigative report should be altered in light of the new evidence. The party who did not provide the new evidence will have the opportunity to respond to the evidence in writing. If the investigative report is altered under (3), the Parties

will be afforded the opportunity to appeal again under (1) and/or (2) within 5 business days of receipt of the altered investigative report. If an appeal is granted under (1) or (2), the Equal Opportunity and Title IX Compliance Director will evaluate the investigative report in an impartial manner in light of the information found in the Appeal Form and will alter or reaffirm the investigative report accordingly. Unless there are extenuating circumstances, the appeal process will be completed within 10 business days of submission of the Appeal Form and the results will be provided in writing to the Parties. In cases in which there is a conflict of interest, such as when the grounds for appeal involve action taken by the Equal Opportunity and Title IX Compliance Director, the Vice Provost for Faculty Affairs and Equity will conduct the appeal process.

9. INTERSECTION WITH OTHER RELEVANT NDSU POLICIES

- 9.1 The procedures described above do not eliminate the rights of a party to participate subsequently in pre-disciplinary action review and/or an appeal as afforded elsewhere under NDSU policy. Furthermore, for purposes of these procedures, an appeal process available to the individual (or group) against whom a discrimination complaint was filed must be available to the individual (or group) who filed the discrimination complaint.
- 9.2 **Nonbanded, nonacademic staff** – The applicable policy for nonbanded, nonacademic staff regarding subsequent pre-disciplinary action review and/or an appeal is NDSU [Section 183, Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff](#).
- 9.3 **Regular staff employees** – The applicable policies for regular staff employees regarding subsequent pre-disciplinary action review and/or an appeal are NDSU [Section 220, Staff Job Discipline/Dismissal](#) and NDSU [Section 231, Appeal Procedure for Disciplinary and Reduction in Force Actions](#).
- 9.4 **Faculty** – The applicable policies for faculty regarding subsequent pre-disciplinary action review and/or an appeal are NDSU [Section 350.3, Board Regulations on Nonrenewal, Termination or Dismissal of Faculty](#) and NDSU [Section 350.4, Board Regulations on Hearings and Appeals](#).

10. NOTICE OF MANDATORY REPORTING RESPONSIBILITIES AND TRAINING

- 10.1 It is the responsibility of the entire university community to foster a safe and non-discriminatory learning, living, and working environment. NDSU employees have specific responsibilities when they observe discrimination or receive a report of discrimination. NDSU employees must not dissuade an individual (or group) from providing them with a report of discrimination but should inform the individual (or group) of their mandatory reporting responsibilities as described below.
 - 10.1.1 **Observance of discrimination** – All NDSU employees who observe discrimination, including harassment or retaliation, must document the discrimination and contact the Equal Opportunity and Title IX Compliance Office in accordance with 10.2.
 - 10.1.2 **Report of discrimination** – All NDSU employees who receive a report of discrimination *involving a student*, including harassment or retaliation, must document the report and contact the Equal Opportunity and Title IX Compliance Office in accordance with 10.2. NDSU supervisors, managers, department heads, deans, directors, or administrators who receive a report of discrimination *involving employees*, including harassment or retaliation, must document the report and contact the Equal Opportunity and Title IX

Compliance Office in accordance with 10.2. The provisions of 10.1.2 do not apply to confidential support resources providing services as described in 3.1.4.

- 10.2 To comply with 10.1.1 or 10.1.2, NDSU employees must promptly complete and submit an NDSU Discrimination/Harassment/Retaliation Report Form (Report Form) to the Equal Opportunity and Title IX Compliance Director. The Report Form is available online at https://ndstate.co1.qualtrics.com/jfe/form/SV_cYXm01BTRKZi8HY https://www.ndsu.edu/equity/filing_a_report_or_complaint/ and clicking on [File a Report](#) or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office can assist with completing the Report Form as needed. The Equal Opportunity and Title IX Compliance Office is the official university record holder for documentation under these procedures.
- 10.3 Upon receipt of a Report Form, NDSU will initiate its discrimination complaint procedures.
- 10.4 **Mandatory training** - All new NDSU employees must complete in-person equal opportunity and non-discrimination training within 60 days of their employment start date. Additionally, all fulltime employees must complete in-person equal opportunity and non-discrimination training every three years. In addition to mandatory training, employees are encouraged to contact the Equal Opportunity and Title IX Compliance Office with any questions they may have related to equal opportunity and non-discrimination at NDSU, including inquiries regarding their responsibilities as mandatory reporters. [If a new or fulltime employee does not complete this required training, the employee will not be eligible for salary adjustments until this required training is completed per NDSU Policy 129: Salary Administration. Training compliance is tracked by the Equal Opportunity and Title IX Compliance Office. For questions regarding training compliance, please call 701-231-7088 or email ndsu.eoaa@ndsu.edu.](#)

11. DISCRETIONARY INVESTIGATION

- 11.1 The Equal Opportunity and Title IX Compliance Office reserves the right to initiate an investigation under these procedures at its discretion in the absence of a discrimination complaint or report of discrimination in order to fulfill NDSU's commitment to taking action to stop discrimination, remedy its effects, and prevent its recurrence.

12. FILING WITH AN EXTERNAL AGENCY

- 12.1 An individual (or group) also has the right to file a discrimination complaint with one or more of the following external agencies. Please note that these agencies have their own deadlines for filing a discrimination complaint. Please contact the agencies directly for more information about applicable deadlines.

National Science Foundation (NSF)

Phone: 703-292-8020

TTD: 800-281-8749

programcomplaints@nsf.gov

https://nsf.gov/pubs/policydocs/pappg20_1/pappg_11.jsp#XIA

National Institutes of Health (NIH)

Phone: 301-480-6701

TTY: 301-402-9612

granteeharassment@nih.gov

<https://grants.nih.gov/grants/policy/harassment/actions-oversight/allegation-process.htm>

North Dakota Department of Labor and Human Rights

Phone: 1-800-582-8032

TTY: 1-800-366-6888

humanrights@nd.gov

www.nd.gov/labor

U.S. Department of Education

Office for Civil Rights

Phone: 1-800-421-3481

TDD: 1-800-877-8339

OCR@ed.gov

www2.ed.gov/ocr

U.S. Equal Employment Opportunity Commission

Phone: 1-800-669-4000

TTY: 1-800-669-6820

info@eeoc.gov

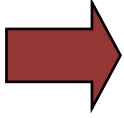
www.eeoc.gov

HISTORY:

New	December 20, 1977
Amended	September 1993
Amended	January 1996
Amended	June 2000
Amended	October 2007
Housekeeping	September 2009
Amended	March 16, 2010
Housekeeping	February 14, 2011
Amended	April 25, 2016
Housekeeping	May 20, 2016
Amended	August 22, 2017
Housekeeping	February 6, 2019
Amended	March 15, 2021
Amended	March 29, 2022

Policy Change Cover Sheet

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



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

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

1. **This policy change was originated by (individual, office or committee/organization):**
 - **Office/Department/Name and the date submitted:**
Faculty Affairs Committee (on behalf of Dean of Students Office)
 - **Email address of the person who should be contacted with revisions:** jeffrey.s.johnson@ndsuscc.edu

2. **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
 - **This policy applies to (check all that apply):** Students Staff Faculty Other (please describe):
 - **Describe change:** Revisions meant to clarify the process for instructors and faculty, particularly in terms of required documentation (should not be required for medical, bereavement or crisis). Makes clear that the Dean of Students Office is ready to assist instructors or students in navigating excused and unexcused absences.
 - **Changes from legal incorporated on 8/8/2022.**

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

Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection.

Address each item in the checklist--	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	X			The policy encourages compassion and flexibility for students to engage with their community (sanctioned university events) and provides flexibility for students experiencing illness or other crisis events while allowing instructors to maintain academic standards. Revisions address importance of communication between students and instructors/faculty. Encourages planning for students (when applicable) and flexibility by instructors/faculty when students present with illnesses, emergencies, etc.
The <i>economic</i> impact on students, staff, faculty, others was considered.	X			Students should not be seeking medical attention and potentially acquiring financial burden (i.e. co-pays, medical bills, etc.) for common illnesses that are best cared for by rest and self-care at home.
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	X			Clarity about absences could reduce the number of students who come to class with contagious illnesses, such as sore throats, cold symptoms, or mild gastrointestinal illness, thus reducing unnecessary spread and exposure.
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	X			Clarity about absence policies could reduce stress on students and increase their participation in university sanctioned events thus supporting their overall mental health.
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			Members of the PCCW Executive Committee, Dean of Students Office, Vice Provost for Faculty and Equity and the Faculty Affairs Committee provided input on the suggested edits.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			Members of the PCCW Executive Committee, Dean of Students Office, Vice Provost for Faculty and Equity and the Faculty Affairs Committee provided input on the suggested edits. Example policies at other campuses were reviewed and is consistent with the American College Health Association.
This policy contributes to creating an environment that is safe and conducive to	X			Clarity about absences could reduce the number of students who come to class with contagious illnesses, such as sore throats, cold symptoms, or mild

living, learning, working, and recreation.				gastrointestinal illness, thus reducing unnecessary spread and exposure. The proposed policy change acknowledges that students may need to be absent for a variety of reasons that contribute to their own health or the continued health of the overall campus.
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.		X		
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			Policy offers support of the Dean of Students Office

North Dakota State University

Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY

SOURCE: NDSU Faculty Senate Policy

1. ATTENDANCE

Attendance in classes is expected and important. (The term “class” includes class, online class, laboratory, field trips, group exercises, or other activities.) However, there are instances in which students are unable to attend class and in which those absences must be excused (“Excused Absences”). ~~Specifically, Excused Absences are those identified Additional information on excused absences is provided in section 4 below. These instances are described in the following sections.~~ All absences not covered by ~~section 4~~ this policy (e.g. hospitalization, long term illness, bereavement) are excusable at the discretion of the instructor. ~~and instructors are encouraged to contact the Dean of Students Office if they are uncertain how to proceed in these instances. Requiring documentation is not allowed in most instances due to privacy, legal, and personal health considerations. If an instructor believes verification is necessary and/or to address unexcused absences (e.g., hospitalization, long term illness, bereavement, excessive tardiness/absences, childcare responsibilities, etc.) prolonged absences, they are encouraged to contact the Dean of Students Office. While documentation may be required in some instances, documentation will not generally be required in order to account for common illnesses that are best cared for by rest and self-care.~~

Class attendance policies may not have discriminatory effect (intentional or unintentional) on members of a protected class (see [NDSU Policy 100](#)).

~~Students and instructors should note that the Error! Hyperlink reference not valid. does not provide students with excuses for class absences or tardiness due to illness or injury.~~

Students are expected to notify their instructor about absences. When a student is unable to communicate about an absence due to an emergency or crisis, a family member may notify the Dean of Students Office who will then provide notification to instructors.

2. INSTRUCTOR RESPONSIBILITY

a. ~~Each syllabus must contain Students must be clearly informed on the first day of class in writing in the syllabus (1) the of class policy regarding class absences (requiring documentation is not allowed in most instances) including if supporting documentation is required); and (2) the of class policy for making up missed coursework in the class. It is recognized that sometimes an assignment is impossible to make-up.~~

b. Excused students must be given an opportunity to address any missed coursework in a reasonable amount of time.

c. If an instructor is uncertain of how to respond to or assist students, they are welcomed to contact the Dean of Students Office.

3. STUDENT RESPONSIBILITIES AND RECOURSE

Students who anticipate excusable absences shall notify the instructor as soon ~~as possible~~ as possible as information about the absence is known, preferably by the third week of class. In the case of unanticipated ~~excusable absences or~~ events, the student needs to contact the instructor as soon as possible. Students have the responsibility to ~~visit~~ communicate with the instructor if ~~exams or assignments graded work are~~ is scheduled during times where absences are required.

~~Unless covered by another policy, students who feel that they are being treated unfairly through class policies may file a grievance or complaint through the Provost's Office by following directions at~~ If a student needs assistance navigating a class absence with their instructor, they are encouraged to contact the Dean of Students Office or complete a "Concern or Complaint" form at https://cm.maxient.com/reportingform.php?NorthDakotaStateUniv&layout_id=2.

4. Excused Absences

4.1 UNIVERSITY SANCTIONED EVENTS

North Dakota State University values and supports the required participation of students in university-sanctioned activities. A university sanctioned event or activity shall be as defined by the Congress of Student Organizations as Tier 1 or Tier 2. Sanctioned activities also include mandatory participation as a student athlete in NCAA-sanctioned competition, performing arts outreach, exhibitions, competitions, academic meetings, and conferences.

4. 4.2 PREGNANT STUDENTS

Absences due to pregnancy or related conditions, including recovery from childbirth, shall be excused for as long as the student's health care provider deems the absences medically necessary. When the student returns to class the student must be provided the opportunity to make up any work missed. Alternatives include allowing the student to take an incomplete and complete the course at a later date, or retaking the course or taking an online course. ~~Further, recognizing the need for flexibility when unexpected or emergency childcare responsibilities (e.g. ill child, ill childcare provider, lack of routine care) impact a student, instructors are encouraged to accommodate students with childcare responsibilities.~~ If an instructor believes verification is necessary, they are encouraged to contact the Dean of Students Office.

5. 4.3 RELIGIOUS ACCOMMODATIONS

Religious observances may require absence from a class session and other required class activities. A student who is to be excused from class for a religious observance is not required to provide a second party certification of the reason for the absence. A list of common religious holidays and events is available through the [Office of Multicultural Programs](#).

6. OTHER EXCUSED ABSENCES

4.4 Legally mandated absences such as jury duty or court subpoena.

4.5 Absences due to military duty or veteran status, including service-related medical appointments, where failure to appear might result in a loss of benefits.

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
Amended	April 24, 2014
Amended	August 20, 2018

NDSU Faculty Senate Bylaws

Article I: Faculty Senate Membership

Section 1.

Each representation unit shall have one elected Faculty Senator (hereto within referred to as "Senator") for every fifteen eligible faculty members (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the representation unit as of October 1 of the previous academic year. Faculty members, regardless of their location (*e.g.*, 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, assistant/associate/full professors of practice, assistant/associate/full professors of research, assistant/associate/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 Senate (hereto within referred to as "Senate") seats:

1. College of Agriculture, Food Systems, and Natural Resources
2. College of Arts, Humanities, and Social Sciences
3. College of Business
4. College of Engineering
5. College of Human Sciences and Education
6. College of Health Professions
7. College of Science and Mathematics

Section 4.

The Senate President (hereto within referred to as "President") with the assistance of the Senate Secretary (hereto within referred to as "Secretary") will stagger Senate terms so that approximately one-third 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 for the term to begin in May of that 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/his seat, the vacancy shall be filled by a special election within the unit from which she/he was elected. The term of a member under these circumstances shall commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

Section 7.

A Senator may be removed from office by way of a two-thirds majority vote at a regular Senate meeting, followed by a two-third majority vote at the next meeting. This action may never be part of a consent agenda. In the event a Senator is removed, the President will inform the relevant academic unit to elect another Senator before the Senate meets in its next regular meeting.

Section 8.

All Senators are expected to:

1. Attend all 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/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 prior to start of the meeting.
2. Prepare for 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 Senate.
4. Disseminate Senate information to their individual representation units.
5. Gather opinions and other information from their representation units concerning Senate activity.
6. Show proper decorum during meetings.

Article II: Organization and Faculty Senate Operation

Section 1.

Administrative officers of the Senate consist of the President, the President-Elect, and the Immediate Past President.

Section 2.

The President-Elect shall be elected for a one-year term by the Senate at the last meeting of the academic year. The President-Elect will be elected from the roster of current or former Faculty/University Senators.

Section 3.

At the end of the term, the President will assume the role of the Immediate Past President, and the President-Elect will succeed the President for a one-year term of office. In the event the outgoing President is unable or unwilling to serve as the Immediate Past President, the President will appoint another past Faculty/University Senate President as a replacement for the position of Immediate Past President.

Section 4.

During their respective terms the President-Elect, the President, and the Immediate Past President will not represent their representation units in the Senate.

Section 5.

The authority of the President-Elect, the President, and the Immediate Past President will be terminated before the end of its term if she/he loses eligibility, voluntarily resigns with eligibility or is removed from office by the Senate with/without eligibility.

1. Voluntary resignations shall be tendered before the Senate at its regular meetings.
2. Removal of the President, President-Elect or Immediate Past President by the Senate requires a two-third vote at a regular Senate meeting, followed by a two-thirds vote at a special meeting of the Senate convened in not more than two weeks after the first meeting. The second meeting will be convened and presided over by a Special Returning Officer who will be appointed by the Senate immediately after the first vote. The removed officer shall not complete her/his term as a Senator.
3. In the event that the authority of the President is terminated, but the President-Elect is still in good standing, the President-Elect will assume the role of President to finish the term left by the removed President and then she/he will start her/his originally elected term.
 - a. The removed President will not serve as Immediate Past President.
4. The assumed President may wish to appoint one of the Senators to assist in the duties of the President-Elect. This appointment does not necessarily imply automatic elevation to the full position of President-Elect at the end of the term. In the event that the authority of the President-Elect is terminated, the Senate will vote to replace the President-Elect at the next regular meeting of the Senate. These actions may never be part of a consent agenda.
5. In the event the authority of the Immediate Past President is terminated, the President will appoint the most recent eligible Past President to serve in that capacity.
6. In the event that the authority of both the President and the President-Elect is terminated at the same time:

- a. If the authority of the Immediate Past President is still in good standing, then she/he will convene and preside the Senate meeting to elect a new President and the President-Elect in not more than two weeks.
- b. If the authority of the Immediate Past President is also terminated, then a Special Returning Officer appointed by the Senate will convene and preside over the election of the President and the President-Elect in not more than two weeks. Article II, Section 5.5 will then be used to fill the position of the Immediate Past President.

Section 6.

Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the 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 Senate on administrative councils.
9. Lead the stage party during Commencements.
10. Provide the Secretary and the incoming President with an annual report summarizing the Senate activities for the preceding year.
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 Executive Committee.
4. Serve on the Senate Coordinating Council.
5. Represent the Senate to the Staff Senate and the Student Government.

Section 8.

Duties of the Immediate Past President shall include the following:

1. Advise the President and the President-Elect regarding past practices and other matters for the maintenance of continuity from one administration to the next.
2. Preside over regular Senate meetings in the absence of both the President and the President-Elect.
3. Serve on the Executive Committee.
4. Undertake duties outlined in Article II, Section 9.2-9.4 in the absence of the Secretary at a Faculty Senate meeting.

Section 9.

The Senate will confirm the appointment of a person not on the Senate to serve as Secretary; the Secretary 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 Article II, 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 and prepare meeting minutes.
5. Disseminate meeting minutes according to Article II, Section 16.
6. Schedule a room for all Senate meetings.
7. Maintain a permanent record of Senate minutes.
8. Maintain a permanent record of annual reports submitted by the President and Chairs of Senate committees.
9. Maintain records of standing committee membership.
10. Prepare updated versions of the Constitution for distribution.
11. Archive all past versions of Constitutions and Bylaws.
12. Verify the eligibility of Senators and committee members.
13. Assist the Faculty Senate President with moderating the official faculty listserv.

Section 10.

Regular meetings of the Senate shall be held at 3:00 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or State holiday or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 11.

Special meetings may be called by the President or on petition of one-third of the membership of the Senate.

Section 12.

Meetings of the Senate shall be open to the public; however, debate on some of the agenda items may be deemed closed at the discretion of the Senate. For closure to occur, a motion to enter executive session must be made and seconded, and a majority vote must be achieved. If the motion is approved, all non-Senators will be asked to leave except the Secretary and Parliamentarian; the Senate can also exempt some invited guests to stay in the executive session. At each Senate meeting the University President, Provost, Student Body President, and Staff Senate President will be invited to make announcements. The 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 13.

Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The 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 14.

The primary business of the Senate is to review, propose, and approve of policy with respect to the

following matters:

1. Academic freedom, including rights and responsibilities.
2. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
3. Research and scholarship.
4. Admissions standards and prerequisites.
5. Requirements for regular certificates and degrees.
6. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.
7. Teaching quality.
8. Professional standards and criteria for positions accorded academic rank.
9. Policies and procedures for promotion, tenure, and evaluation.
10. And other academic matters.

The agenda for each regular meeting shall be posted to the Senate website at least one week before each meeting. Any member of the Senate may request of the President that an item be placed on the agenda. The order of business for Senate meetings shall be as follows:

1. Adoption of the agenda.
2. Approval of the previous meeting minutes.
3. Announcements.
4. Committees and other reports.
5. Consent agenda.
6. Unfinished business.
7. New business.
8. Adjournment.

In consultation with the Senate Executive Committee, general and special order items can be added to the agenda as necessary.

At the October meeting, the primary order of business will be planning and prioritizing Senate goals for the academic year. The order of business for this meeting will be as follows:

1. Adoption of the agenda.
2. Approval of the previous meeting minutes.
3. Announcements.
4. Consent agenda.
5. Special order: Planning and prioritizing Senate action for the year.
6. Adjournment.

The President, in consultation with the Executive Committee, may add an urgent piece of new or committee business to this meeting if the timing is critical.

Section 15.

A quorum of at least 55 percent of the total voting membership of the Senate shall be present in order to conduct Senate business.

Section 16.

The minutes of the meeting shall be posted to the Senate website by the Secretary within one week after the meeting.

Article III: Faculty Senate Committees

Section 1.

Duties of standing committees include:

1. Selecting a chair who will serve as a liaison to the Senate.
2. Initiating and reviewing policy and policy changes in their areas of responsibility.
3. Providing their recommendations to the 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 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 Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress to the Senate at the President's request. Committees will also 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. Unit representatives shall be faculty members as defined by the Senate's Constitution, unless otherwise specified under the committee description. Such membership shall be presented to the 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 the spring semester, unless otherwise specified.

Section 5.

After the 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. The Senate Executive Committee has the right to remove the chair of a standing committee and seek a replacement from the standing committee membership if the chair is not effectively performing their duties. Faculty members with part time or interim appointment as chair/head or equivalent may be eligible to serve on Faculty Senate Standing Committees. In special circumstances faculty with greater than 50% appointments as chair/head or equivalent may serve on Faculty Senate Standing committees with the approval of Faculty Senate.

Section 6.

All Senate committee action is subject to review and approval by the Senate.

Section 7.

The Senate may create special committees as it deems necessary. Special committees shall be commissioned by a majority vote of the full Senate. Faculty Senate President shall appoint members of special committees. However, Senate approval by a majority vote is required for appointment of special committee members who are not members of the Faculty Senate. 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. Such committees shall be discharged upon the completion of their assigned duties.

Article IV: Faculty Senate Standing Committees

Section 1. Academic Integrity

1. Voting membership (seven members):
 - a. One tenured faculty member from each representation unit.
 - i. Full professor is preferred.
 - ii. An associate professor may be appointed.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive years (two terms).
 - c. No designation about non-consecutive terms.
4. Committee responsibilities:
 - a. Provide investigative assistance on cases involving academic misconduct as described in Policy 326.
 - b. Select panels composed of three persons competent to investigate allegations. Such panels may include members from outside the University.
 - c. Review and recommend policies pertaining to academic integrity.

Section 2. Budget

1. Voting membership (eight members):
 - a. One faculty member from each representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
2. Non-voting membership (two members):
 - a. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance and Administration (or designee).
3. Terms and limits:
 - a. Three-year term
 - b. Limit of two consecutive terms (six years).
 - c. Terms shall be staggered, so that new members have at least one year to become familiar with the committee and its work.
 - d. Unless by necessity, no more than one third of the committee may be in their first year of service to the committee.
 - e. To maintain continuity within ongoing budgetary discussions, the outgoing Chair of the committee will continue to serve for at least the year following her/his term.
 - i. If the outgoing Chair is no longer the representative of an academic unit, she/he will serve in a non-voting, advisory capacity.
 - ii. If the outgoing Chair is reappointed/re-elected to represent her/his academic unit, then she/he will return to normal committee membership.
4. Committee responsibilities:

- a. Become familiar with the University budget process.
- b. Develop a set of guiding principles which align with strategic priorities, with the intent of informing University budget decisions from a faculty perspective.
- c. Solicit 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. Act as a conduit of information between faculty and Administration for budget discussions and decisions.

Section 3. Conflict of Interest Advisory

1. Voting membership (five members):
 - a. Five tenured faculty members.
 - b. These faculty members are recommended by the Executive Committee and appointed by the President.
 - c. No two committee members may have primary appointments in the same representation unit.
 - d. In the event that a member of the committee recuses her/himself 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.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive years (two terms).
4. Committee responsibilities:
 - a. Serve as an advisory body to the Administration on the issue of conflict of interest.
 - b. Initiate and review policies concerning conflict of interest and make recommendations regarding such policy to the Senate.
 - c. Hear and rule on appeals of decisions in conflict of interest cases.
 - d. Act in accordance with procedures approved by the Senate, specifically Policy 151.1.

Section 4. Council of College Faculties

1. Voting membership (three members):
 - a. Three faculty members elected to staggered three-year terms.
 - b. The faculty shall elect each spring by secure electronic ballot a faculty member to serve.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Three-year term.
 - b. No restriction on consecutive terms.
4. Responsibilities:
 - a. All responsibilities and procedures are determined by the Constitution and Bylaws of the Council of College Faculties.

Section 5. Diversity, Equity and Inclusion

1. Voting membership (eight members):
 - a. Seven faculty members; one from each representation unit.
 - b. One faculty representative from the Commission on the Status of Women Faculty
 - i. Recommended by the Executive Committee. The Executive Committee shall strive for representation from diverse groups.
 - ii. Appointed by the President.
2. Non-voting membership (one member):
 - a. Vice Provost for Faculty Affairs and Equity.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive terms.
4. Committee responsibilities:
 - a. Review, revise, and propose 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, LGBTQ (lesbian, gay, bisexual, transgender, and/or queer) people.

Section 6. Executive Committee

1. Voting membership (ten members):
 - a. One Senator from each representation unit.
 - b. The President.
 - c. The Immediate Past President.
 - d. The President-Elect.
2. Non-voting membership (five members):
 - a. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - b. One faculty representative of the Provost's Office, designated by the Provost.
 - c. One faculty representative from the Commission on the Status of Women Faculty.
 - d. The Secretary.
 - e. The Parliamentarian.
3. Terms and limits:
 - a. One-year term.
 - b. Limit of two consecutive terms.
4. Committee responsibilities:
 - a. Meet and organize for the academic year during the first week of the fall semester.
 - b. Delegate tasks to Senate committees.
 - c. Review the progress of Senate committees.
 - d. Set the agenda for upcoming Senate meetings.
 - e. Interpret, when necessary, provisions of the Constitution and the Bylaws.

Section 7. Faculty Affairs

1. Voting membership (seven members):
 - a. One faculty member from each representation unit.
2. Non-voting membership (two members):
 - a. One faculty representative from the Commission on the Status of Women Faculty.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive years (two terms).
 - c. No designation about consecutive terms.
4. Committee responsibilities include:
 - a. Review policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching, and service.
 - b. Review and recommend revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.
 - c. Review the Ombudsperson's annual report and perform an annual interview and written evaluation of the Ombudsperson and office (to be submitted to the Ombudsperson and Provost at the end of each fall semester). The review and evaluation shall be conducted by a subcommittee comprised of at least three faculty members with broad college representation who do not possess any actual or perceived conflict of interest with the Ombudsperson's Office.

Section 8. Faculty Rights

1. Voting membership (~~five-seven~~ members):
 - a. ~~Five~~One faculty members, ~~from~~ each ~~from different~~ representation units.
 - i. Restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
 - ii. Elected by the faculty each spring by secure electronic ballot.
 - b. In the event that a member of the committee is on leave, unavailable, or recuses her/himself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case.
 - i. The replacement will preferably be a faculty member who has previously served on the committee.
 - ii. 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~~six members, if reasonably possible.
 - iii. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Five-year term.
 - b. Begins and ends on August 15.

- c. No consecutive term limit has been set.
- 4. Committee responsibilities:
 - a. Responsibilities and procedures are determined by directives of the North Dakota State Board of Higher Education.

Section 9. General Education Committee

- 1. Voting membership (seven members):
 - a. One faculty member from each of the following Colleges: Agriculture, Food Systems, and Natural Resources; Arts, Humanities and Social Sciences; Business; Engineering; Health Professions; Human Sciences and Education; Science and Mathematics
 - i. Each representative College shall also select an alternate faculty member to serve in case of recusal or absence.
 - b. One undergraduate student, appointed by the Student Government.
 - c. Only a voting faculty member will be elected as Chair, and the Chair shall have served at least one year on the committee.
- 3. Non-voting membership (four members):
 - a. Director of Assessment and Accreditation
 - b. One representative of the Registrar’s Office, designated by the Registrar.
 - c. One representative of the Libraries, designated by the Dean of Libraries.
 - d. One representative from Institutional Research, designated by Institutional Research.
- 3. Terms and limits:
 - a. Three-year terms
 - b. No consecutive terms for voting members. No restriction for non-voting members.
 - c. Terms shall be staggered so that no more than one-third of the members are new.
- 4. Committee responsibilities:
 - d. Review new general education courses to ensure and validate that the general education outcomes are being met.
 - e. Complete the revalidation of courses and experiences on a periodic, five-year timeline to ensure that general education outcomes are being met. The course revalidation should be staggered to review approximately 20% of the general education courses each year.
 - f. Review General Education Appeal petitions.
 - g. Develop and maintain a plan for assessment of General Education Program-level learning outcomes.
 - h. Conduct periodic assessment of students’ attainment of general education learning outcomes.
 - i. Develop a university policy governing the policy and procedures for general education revalidation
 - j. Perform other appropriate duties as assigned by the Senate.
 - k. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 10. Grade Appeals Board

- 1. Committee purpose:

- a. To provide an avenue for students to challenge any grade they believe to have been unfairly assigned.
2. Voting membership (twelve members; ten alternates):
 - a. One faculty member and one alternate from each representation unit.
 - i. These faculty are elected by their representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - c. Three students and three student alternates selected by the Student Government.
 - i. Students should be full-time students.
 - ii. Students should have a minimum 2.00 cumulative grade point average.
 - iii. Students should be of junior standing.
 - d. One representative from the Provost's Office, who will also serve as Board Chair
3. Non-voting membership:
4. Terms and limits:
 - a. Three-year term.
 - b. No consecutive term-limit has been designated.
5. Committee responsibilities:
 - a. Hear charges of inequitable or prejudiced academic evaluations and provide redress for improper evaluation.
 - b. Act in accordance with procedures approved by the Senate, specifically Policy 337.

Section 11. Program Review

1. Voting membership (eleven members):
 - a. One tenured faculty member from each representation unit.
 - i. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - c. One faculty representative of the Provost's Office, designated by the Provost.
 - d. Two students selected by the Student Government.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Four-year term.
 - b. Limit of two consecutive terms.
4. Committee responsibilities:
 - a. Develop criteria and procedures for review of academic programs.
 - b. Perform 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. Address concerns and make recommendation to the Senate regarding duplication of programs and courses.
 - d. Recommend policies for University support to individual programs.

- e. Coordinate the time of and use of external program reviews by accrediting agencies and/or other expert evaluators in its review of specific academic programs.

Section 12. Research and Consulting

1. Voting membership (eight members):
 - a. One faculty member from each representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
2. Non-voting membership (one member):
 - a. One representative of the Vice President for Research and Creative Activities, designated by the Vice President for Research and Creative Activities.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive terms.
4. Committee responsibilities:
 - a. Initiate and review policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.
 - b. Review research development programs and provide technical and funding reviews for faculty proposals submitted to the development programs.

Section 13. Technology and Instructional Services

1. Voting membership (eight members):
 - a. One faculty member from each representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
2. Non-voting membership (one member):
 - a. Three representatives from Information Technology (IT) Division.
 - b. One student representative appointed by Student government
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive terms.
4. Committee responsibilities:
 - a. An annual review of IT support services to the NDSU teaching and research communities.
 - b. Make recommendations for Senate approval of any changes proposed by the IT Division regarding policy, implementation procedures, or classroom and instructional technologies.
 - c. Formulate recommendations regarding needs of the faculty that are unmet by the IT Division.
 - d. Serve as the liaison between the Senate and the IT Division's administration.

Section 14. University Curriculum

1. Voting membership (ten members):

- a. One tenured faculty member from each representation unit.
 - i. Each representation unit shall also select an alternate faculty member to serve in case of recusal or absence.
 - b. One tenured faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - c. Two students, one graduate and one undergraduate, appointed by the Student Government.
 - d. Only a voting faculty member will be elected as Chair, and the Chair shall have served at least one year on the committee.
2. Non-voting membership (two members):
- a. One representative of the Provost's Office, designated by the Provost.
 - b. One representative of the Registrar's Office, designated by the Registrar.
3. Terms and limits:
- a. Four-year term.
 - b. No consecutive terms for voting members. No restriction for non-voting members.
 - c. Terms shall be staggered, so that no more than one-third of the members are new.
4. Committee responsibilities:
- a. Develop criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.
 - b. Coordinate and recommend actions on proposals for curriculum and course changes that have been received from the colleges.
 - c. Request the formation of a special (*ad hoc*) Senate committee to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed.
 - d. Perform other appropriate duties as assigned by the Senate.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership (six members):
 - a. One representative of the Faculty Senate as appointed by the Faculty Senate President.
 - b. One representative of the Staff Senate as appointed by the Staff Senate President.
 - c. One representative of Student Government appointed in accordance with the Student Government Code.
 - d. Faculty Senate President.
 - e. Staff Senate President.
 - f. Student Body President.
2. Non-voting membership (three members):
 - a. Vice President for Finance and Administration (or designee).
 - b. Two representatives from Office of the Provost to facilitate meetings and maintain Records.
 - i. The council may decide to invite policy initiators to the meetings as non-voting members to explain policy changes.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
 - a. Review 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. Coordinate the distribution of policies to the appropriate Senate body consistent with the Faculty Senate, Staff Senate, and Student Government constitutions.
 - c. Send policies that have been voted on to appropriate channels at NDSU for final approval.
 - d. Serve in a liaison capacity regarding the Faculty Senate, Staff Senate, Student Government, and Administration.

Section 2. Campus Space & Facilities

1. Voting membership (seventeen members):
 - a. One faculty member from each representation unit.
 - b. Three staff members, appointed by the Staff Senate.
 - c. Three student members (graduate, undergraduate, and on-campus), appointed by the Student Government.
 - d. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - e. Provost (or designee).
 - f. Registrar.
 - g. Vice President for Finance and Administration (or designee).
2. Non-voting membership (four members):
 - a. Director of Facilities Management.

- b. Chair of the Department of Architecture and Landscape Architecture.
 - c. Assistant to the Director of the North Dakota Agricultural Experiment Station.
 - d. One representative of the Libraries, designated by the Dean of Libraries.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
 4. Committee responsibilities:
 - a. Provide for the systematic development and review of the “Campus Master Plan” and Guidelines for Campus Development.
 - b. Recommend policies and procedures to meet the current and future needs for all physical facilities and review changes in University space allocation, including classrooms and laboratories.
 - c. Review proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.
 - d. Recommend policies for site location for new buildings and for overall landscaping.
 - e. Recommend traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.
 - f. Recommend plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Voting membership (thirteen members):
 - a. One faculty member from each representation unit.
 - b. Two students (one undergraduate and one graduate), appointed by the Student Government.
 - c. One staff member, appointed by the Staff Senate.
 - d. One representative from Information Technology Services.
 - e. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - f. Dean of Libraries.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
 - a. Formulate policy recommendations for the NDSU Libraries.

Section 4. University Athletics

1. Committee purpose:
 - a. The University Athletics Committee serves as the NDSU Athletics Advisory Board, as described in the constitution of the National Collegiate Athletics Association (NCAA).
2. Voting membership (sixteen members):
 - a. One faculty member from each representation unit.
 - b. Two students.
 - c. Student Body Vice President.

- d. President of the Student-Athletes Advisory Council.
 - e. Two representatives of the Staff Senate.
 - f. Director of Intercollegiate Athletics.
 - g. Senior Women's Administrator.
 - h. Faculty Athletics Representative.
3. Non-voting membership:
 - a. There are no non-voting members for this committee.
 4. Terms and limits:
 5. Committee responsibilities:
 - a. Promote compliance with principles of conduct as defined by the NCAA.
 - b. Act as the Board of Appeals for athletic grievances.
 - c. Initiate and review policies concerning University athletics and make recommendations for consideration of said policy to the Senate. Such areas of concern include guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, and eligibility of athletes.
 - d. Review upcoming issues at intercollegiate conference meetings and recommend institutional positions.
 - e. Review the budget of the athletic programs prior to its approval by the University President.
 - f. Stimulate interest in athletic events throughout the University community.

Section 5. University Assessment and Accreditation

1. Voting membership (fifteen members):
 - a. One faculty member from each representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - c. Faculty member appointed by the Provost (or Provost).
 - d. Two graduate students, appointed by Student Government based on student preparation through assessment-related education, training, and/or experience.
 - e. One representative from the Office of Institutional, Research and Analysis.
 - f. One representative from the Office of Teaching and Learning.
 - g. Associate Dean of Libraries for Research and Learning.
 - h. Director of the Office of Accreditation and Assessment.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
 - a. Periodic review of the assessment of student learning in undergraduate and graduate academic programs.
 - b. Develop procedures for annual reporting of assessment activities by departments and other academic units.

- c. Provide feedback and guidance to departments and other academic units on their assessment activities, working in conjunction with the Director of Assessment and Accreditation.
 - d. Provide a yearly summary of assessment activities to the Faculty Senate and the Provost.
 - e. Develop an action plan for the upcoming academic year based on review of unit feedback about the assessment process and patterns of strengths and weaknesses in reports. Develop and maintain a University Assessment Plan in collaboration with the Director of Assessment.
5. Member responsibilities:
- a. All members:
 - i. Complete NDSU's baseline training regarding NDSU assessment processes prior to beginning service on UAC.
 - ii. Undertake ongoing professional development related to program assessment and related topics based on guidance from the Director of Assessment and Accreditation.
 - iii. Participate in providing assessment support to campus based on availability and comfort with form of support (e.g., referrals, workshop, webinar, coaching).
 - b. Academic unit representatives:
 - i. Participate in annual review of program assessment reports.
 - ii. Pursue opportunities to provide updates on assessment activities, timelines, and results at College meetings.

Article VI: Amending the Bylaws

Section 1.

Amendments to the bylaws may be proposed by the Senate in a regular meeting or by a petition signed by twenty-five percent of the Faculty. At a meeting of the Senate where the amendment is proposed, a vote will be cast to determine whether to consider the amendment at the next regular Senate meeting. If two-thirds of the votes cast are in favor of the bylaws change, it will be added to the agenda for the next regular meeting of the Senate under General Order.

Section 2.

The Secretary of the Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Senate votes to consider the amendment at their next regular meeting.

Section 3.

At the next regular meeting of the Senate, if approved by a two-thirds vote, the change will be submitted to the University President.

Section 4.

When approved by the University President, the changes shall become effective immediately.

Policy Change Cover Sheet

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



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

SECTION: **361 EMERITUS/EMERITA TITLES**

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

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

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

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

Update 4/29/2022: Suggested changes approved by Faculty Affairs. V3 04/29/22

- This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted: Faculty Affairs 3/12/2021
 - Email address of the person who should be contacted with revisions: jeffrey.s.johnson@ndsus.edu

This portion will be completed by Ann Fredrickson.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

The formatting of this policy will be updated on the website once the content has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsuscc@ndsus.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 361 EMERITUS/EMERITA TITLES

SOURCE: SBHE Policy Manual, Section 430.2

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

- i. Name maintained in campus catalog/directory;
 - j. Eligible to serve as principal investigator on internally or externally funded research projects consistent with the policies of the NDSU Sponsored Programs Administration (Department and College approval required);
 - k. Eligible to serve as a co-investigator or a collaborator on internally or externally funded research projects consistent with the policies of the NDSU Sponsored Programs Administration (Department and College approval required);
 - l. Eligible to collaborate or co-investigate with researchers from other Universities on internally or externally funded research projects consistent with the policies of the NDSU Sponsored Programs Administration (Department and College approval required);
 - m. Eligible to serve as graduate student advisor/co-advisor/committee member (Department and Graduate School approval required);
 - n. Eligible to recruit a full-time or part-time research technician to work on a project that is supported by intramural or extramural funding for which the emeritus faculty serves as a PI (approval by the Department, College and/or HR is required);
 - o. Eligible to mentor or co-mentor junior faculty members in research, teaching and service as assigned/approved by the Department and College;
 - p. Attend, without vote, meetings of their Department and College (at the invitation of Department and/or College);
 - q. Eligible to serve as a voting nonvoting member on any University committee (recommendation or approval by the Department/College is required);
 - r. Eligible to serve on inquiry committees related to cases of Academic Misconduct, as outlined in policy section 326 at the Request of the Provost;
 - s. Eligible for academic pricing on technology purchases through the University Bookstore, including all sales and promotions available to regular Faculty/Staff
 - a. Eligible for discounted/free attendance at regular (excluding special events) annual ensemble performances (concert choir, jazz, wind symphony, etc.);
 - t.
 - b. Permission to audit graduate or undergraduate level courses, subject to the Instructor's approval and relevant University policies and procedures (see <https://bulletin.ndsu.edu/academic-policies/project65/>);
 - u. Eligible to teach university courses in their area of specialization, subject to the request of the Department and/College upon approval by the Provost;approval;
5. Responsibilities. Recipients of emeritus status are expected to abide by the Code of Conduct applicable to regular faculty, administrators, and professional staff as outlined in Policy 151,

[and to assist and support the University in their areas of competence, particularly in an advisory capacity.](#)

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

HISTORY:

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

Fredrickson, Ann

From: Moench, Emily M. <emoench@nd.gov>
Sent: Thursday, August 4, 2022 3:42 PM
To: NDSU SCC Business
Subject: FW: Policy Change Request: 361 V3
Attachments: Policy Approval_361 V3 04-13-2022.pdf; 09-09-2021 Policy 361 Memo.pdf; 361 V3 041322.docx; Policy 361 memo from Provost and President 04132022.pdf

Hi Ann,

Attached, please find Matt's approval of *Policy 361: Emeritus/Emerita Titles, V3 04-13-2022*. Matt's 9/9/2021 memo still applies to this policy, please forward it along with the policy and signature page. Let us know if you have any questions.

Thanks!

Emily Moench
Administrative Assistant
Office of Attorney General
NDSU – Old Main 202
p: 701-231-8741
emoench@nd.gov

From: NDSU SCC Business <ndsu.scc@ndsu.edu>
Sent: Tuesday, May 3, 2022 3:59 PM
To: Hammer, Matthew <mhammer@nd.gov>
Cc: Moench, Emily M. <emoench@nd.gov>; NDSU SCC Business <ndsu.scc@ndsu.edu>
Subject: Policy Change Request: 361 V3

***** CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Good afternoon,

I am attaching the following policy for your review along with the signature page.
Policy 361- Emeritus/Emerita Titles, V3

If there are any questions, please feel free to contact me.

Thank you!

Ann

Ann Fredrickson
Senate Coordinating Council Secretary
North Dakota State University
PO Box 6050, Department 2000, Fargo, ND 58108-6050



Wayne Stenehjem
ATTORNEY GENERAL

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
STATE CAPITOL
600 E BOULEVARD AVE DEPT 125
BISMARCK, ND 58505-0040
(701) 328-2210
www.attorneygeneral.nd.gov


To: Ann Fredrickson, SCC Secretary
From: Matt Hammer, Assistant Attorney General
Date: September 9, 2021
Re: Policy 361: Emeritus/Emerita Titles

The issue of having retired employees/faculty members perform work on behalf of NDSU was raised several years ago. At that time, NDSU determined that having volunteers perform work was not approved due to a number of factors (workers comp., liability coverage, liability of the volunteers, management issues, etc.).

While many of these activities/privileges do not constitute work, the ones that do should be discussed with NDSU Administration to determine if the earlier determination is still in effect.

NDSU NORTH DAKOTA STATE UNIVERSITY

April 13, 2022

To: NDSU Faculty Affairs Committee
From: President Dean Bresciani & Provost Margaret Fitzgerald 
Re: Proposed policy changes to section 361 Emeritus/Emerita Titles

Thank you for your efforts to revise NDSU policy section 361 on Emeritus/Emerita Titles to define the privileges available to emeritus faculty. We have been advised by the Internal Auditor that NDSU cannot award privileges that have monetary value or influence institutional decision-making in a way that ultimately invokes voting rights or commits institutional resources to individuals who are no longer employed by the university. Therefore, we have removed those items on the attached document and made minor revisions to the language related to approvals by the department, college and provost.

Although items 4a related to library privileges and 4b on email access are still included in the draft, there is discussion at the NDUS level, and it is becoming more accepted nationally, to end email access to people once they are no longer attending or employed by the university, so those two statements may eventually have to be removed. Library privileges for emeritus faculty and staff are currently tied to having an NDSU email account. If email access is discontinued for emeritus faculty and staff, they would be able to have access by joining the Friends of the Library group as community patrons for a cost of \$25.00 a year.

Please let us know if you have any questions or if you would like to meet to discuss the proposed revisions.