

NDSU Faculty Senate Agenda
Sept 11, 2017
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from May 8, 2017 (**Attachment 1**)
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VI. Consent agenda
 - a. Update to UCC Addendum from May 2017 meeting (**Attachment 2**) with New Prefix: Graduate Business Concentration (GBC) removed
- VII. Committee and other reports
 - a. No committee reports for this meeting
 - b. Regular rotation of committee reports
- VIII. Unfinished Business
 - a. No unfinished business for this meeting
- IX. New Business

- a. Planning and prioritization for the academic year and beyond in preparation for further discussion at the October Faculty Senate meeting

X. Adjourn

Faculty Senate Minutes

Fargo, ND 58108

North Dakota State University

May 8, 2017

I. Call to order – 3:01 pm

II. Attendance

Dr. K. Gordon presiding and the following senators present: E. Berry, A. Braaten, B. Braaten, J. Brekke, W. Christensen, M. Christenson, E. Conwell, D. Cooley, C. Cwiak, A. Flood, J. Frenzel, T. Greives, J. Hageman, S. Haring, R. Hearne, J. Johnson, J. M. Jones, B. Klamm, X. Li, K. Lyman, S. Markell, W. Olfert, T. Peters, S. Pryor, C. Ray, F. Salajan, S. Salem, M. Secor-Turner, M. Selekwa, S. Shaik, M. Strand, W. Sun, A. Ungar, M. Vosen Callens, A. Wagner, D. Wyum, M. Yang, and S. Zhong

Substitutions: Magdy Abdelrahman for E. Khan, Nick Bauroth for K. Nelson, Karla Haug for M. Smith, and Harlene Hatterman-Valenti for T. West.

III. Approval of agenda

MOTION (Haring/Christenson): to approve the agenda adding a UCC report as new business. MOTION CARRIED WITH UNANIMOUS CONSENT.

IV. Approval of previous meeting minutes from April 10, 2017

MOTION (Ray/Salajan): to approve minutes of the April 10, 2017 Faculty Senate meetings as distributed. MOTION CARRIED WITH UNANIMOUS CONSENT.

V. Consent agenda

- a. Policy Updates (**attachment 1**)
 - 133
 - 134.2

Housekeeping changes only:

- 103
- 103.1
- 130
- 143
- 157
- 712

MOTION (Cooley/Peters): to approve the consent agenda. MOTION CARRIED WITH UNANIMOUS CONSENT.

VI. Announcements

- a. Beth Ingram, Provost

- Presented plaque and gavel to Katie as the outgoing Faculty Senate President.
 - b. Katie Gordon, Faculty Senate President
 - CCF – electronic election was completed today. Alison Graham-Bertolini will take over for Gina Kelly.
 - Next week there will be a vote for 1 position on SCoFR.
 - The Crisis in Confidence statement has been endorsed by some NDUS institutions, Minot State University wrote a letter about their concerns, and others have or will consider it.
 - c. Stuart Haring, Faculty Senate President-Elect
 - Thanked Katie for her service this year.
 - d. Katie Mastel & Calla Harper, Student Government Representatives
 - New leadership in Student Senate - Katie Mastel, President and Calla Harper, Vice Chair.
 - Students no longer need to bring their own Scantron forms to class, they will be provided.
 - Environmental Sustainability Committee has been removed from the Code due to lack of interest.
- VII. Senate Committee Reports
- a. Budget Committee – Tom Dowdell
 - Looking behind: Committee has had no impact on how NDSU has dealt with the cuts. Looking ahead: How can faculty provide input on the budget? Committee members have increased knowledge on the committee process.
 - b. Council of College Faculties – Birgit Pruess
 - CCF tabled the Crisis in Confidence Resolution
 - New president for this committee is from Dickinson.
 - c. University Curriculum Committee – Susan Ray-Degges, chair (**attachment 2**)
 - Reviewed report (see attachment from committee)
 - Is the anticipated “hours per week” for committee members expected to change next year due to the learning curve there was this year?
 - It is hopeful, but it will depend on the number of courses being submitted for approval and how many need to be validated or re-validated.

MOTION (Cooley/Strand): to approve all items in the UCC report, addendum and under New Business. MOTION PASSED WITH VOTE OF 40-0-1. The following senator(s) or their substitutes voted aye: E. Berry, A. Braaten, B. Braaten, J. Brekke, W. Christensen, M. Christenson, E. Conwell, D. Cooley, C. Cwiak, A. Flood, J. Frenzel, T. Greives, S. Haring, R. Hearne, J. Johnson, J. M. Jones, E. Khan, B. Klamm, X. Li, K. Lyman, S. Markell, K. Nelson, W. Olfert, T. Peters, S. Pryor, C. Ray, F. Salajan, S. Salem, M. Secor-Turner, S. Shaik, M. Smith, M. Strand, W. Sun, A. Ungar, M. Vosen Callens, A. Wagner, T. West, D. Wyum, M. Yang, and S. Zhong; the following senator(s) abstained: J. Hageman

- VIII. Unfinished Business
- a. Policy 161- Noah Fischer, Human Resources (**attachment 3**)

MOTION (Cooley/Hatterman-Valenti for West): to approve Policy 161.
MOTION PASSED WITH VOTE OF 40-1-0. The following senator(s) or their substitutes voted aye: E. Berry, A. Braaten, B. Braaten, J. Brekke, W. Christensen, M. Christenson, E. Conwell, D. Cooley, C. Cwiak, A. Flood, J. Frenzel, T. Greives, S. Haring, R. Hearne, J. Johnson, J. M. Jones, E. Khan, B. Klamm, X. Li, K. Lyman, S. Markell, K. Nelson, W. Olfert, T. Peters, S. Pryor, C. Ray, F. Salajan, S. Salem, M. Secor-Turner, S. Shaik, M. Smith, M. Strand, W. Sun, A. Ungar, M. Vosen Callens, A. Wagner, T. West, D. Wyum, M. Yang, and S. Zhong; the following senator(s) or their substitutes voted nay: J. Hageman.

IX. New Business

- a. UCC addendum and report (**attachment 4**)
- b. Election of Faculty Senate President-Elect
 - i. Erin Gillam, nominated by Warren Christensen (**attachment 5**)
 - ii. Florin Salajan, nominated by Dennis Cooley (**attachment 6**)

Gordon asked if there were any additional nominations from the floor. After hearing none, she asked Senators to vote for their preferred President-Elect candidate. Erin Gillam was elected as 2017-18 Faculty Senate President-Elect with a vote of 24-16-1. The following senator(s) or their substitutes voted for Gillam: E. Berry, B. Braaten, W. Christensen, M. Christenson, E. Conwell, T. Greives, J. Hageman, S. Haring, J. Johnson, J. M. Jones, B. Klamm, X. Li, S. Markell, T. Peters, S. Pryor, S. Salem, M. Secor-Turner, M. Smith, W. Sun, A. Ungar, A. Wagner, D. Wyum, M. Yang, and S. Zhong; the following senator(s) or their substitutes voted for Salajan: A. Braaten, J. Brekke, D. Cooley, C. Cwiak, A. Flood, J. Frenzel, R. Hearne, K. Lyman, K. Nelson, W. Olfert, C. Ray, F. Salajan, S. Shaik, M. Strand, M. Vosen Callens, and T. West; the following senator(s) or their substitutes abstained: E. Khan.

- c. Student Senate Resolution – Calla Harper (**attachment 7**)
 - This is regarding the online access codes that students are required to purchase for certain courses. They sent a survey out to students and 92.1% of those who responded did not favor the external assessment programs that some faculty are using.
 - This resolution is just asking that faculty please take into consideration that students feel Blackboard is a tool that can accomplish the same things as these external programs and students are already paying for Blackboard and do not want to pay for unnecessary programs.
- d. Legislative Issues Faculty Senate Committee
 - Support a call for nominations for committee members from Senate members representing the different colleges.
 - When should this committee be filled by?
 - Should be fully populated by the Fall.
 - Could put a call out for committee members for senate volunteers and then if any colleges aren't represented, the college can be contacted for them to find a representative.
 - Katie will work on this.

- e. Resolution to Support Gender Diversity on Campus – Equity & Diversity Committee (**attachment 8**) – M. Secor-Turner presented the resolution
- Some faculty discussed a preference for removing the last resolved section.

MOTION (Christensen/Christenson): to support resolution as written.

Amendment (Hearne/Markell): to add ‘U.S.’ before the words Justice and Education.

Amendment (Olfert/Hearne): to add ‘Federal’ before Justice. MOTION PASSED WITH VOTE OF 35-3-3. The following senator(s) or their substitutes voted aye: E. Berry, A. Braaten, B. Braaten, J. Brekke, W. Christensen, M. Christenson, E. Conwell, D. Cooley, C. Cwiak, A. Flood, J. Frenzel, T. Greives, J. Hageman, R. Hearne, J. Johnson, J. M. Jones, B. Klamm, X. Li, S. Markell, K. Nelson, W. Olfert, T. Peters, S. Pryor, C. Ray, F. Salajan, M. Secor-Turner, S. Shaik, M. Smith, M. Strand, W. Sun, A. Ungar, M. Vosen Callens, A. Wagner, T. West, and D. Wyum; the following senator(s) or their substitutes voted nay: S. Salem, M. Yang, and S. Zhong; the following senator(s) or their substitutes abstained: S. Haring E. Khan, and K. Lyman.

MOTION (Salajan/Cooley): to change “opposes” to “disagree with” in the 3rd resolve. MOTION PASSED WITH VOTE OF 21-13-7. The following senator(s) or their substitutes voted aye: A. Braaten, B. Braaten, E. Conwell, D. Cooley, C. Cwiak, A. Flood, J. Frenzel, R. Hearne, J. Johnson, J. M. Jones, B. Klamm, X. Li, W. Olfert, C. Ray, F. Salajan, M. Strand, W. Sun, M. Vosen Callens, T. West, M. Yang, and S. Zhong; the following senator(s) or their substitutes voted nay: E. Berry, J. Brekke, W. Christensen, M. Christenson, S. Markell, K. Nelson, T. Peters, S. Pryor, S. Salem, M. Secor-Turner, M. Smith, A. Ungar, and A. Wagner; the following senator(s) or their substitutes abstained: T. Greives, J. Hageman, S. Haring, E. Khan, K. Lyman, S. Shaik, and D. Wyum.

MOTION (Christensen/Christenson): to approve the original motion with the voted on and approved amendments. MOTION PASSED WITH VOTE OF 32-3-6. The following senator(s) or their substitutes voted aye: E. Berry, A. Braaten, B. Braaten, J. Brekke, W. Christensen, M. Christenson, E. Conwell, D. Cooley, C. Cwiak, J. Frenzel, T. Greives, J. Hageman, R. Hearne, J. Johnson, J. M. Jones, B. Klamm, X. Li, S. Markell, K. Nelson, W. Olfert, S. Pryor, C. Ray, F. Salajan, M. Secor-Turner, S. Shaik, M. Smith, W. Sun, A. Ungar, M. Vosen Callens, A. Wagner, D. Wyum, and M. Yang; the following senator(s) or their substitutes voted nay: A. Flood, M. Strand and S. Zhong; the following senator(s) or their substitutes abstained: S. Haring, E. Khan, K. Lyman, T. Peters, S. Salem, and T. West.

- f. Proposed revision to 352 from the Faculty Affairs Committee (**attachment 9**)
NOTE: This is for feedback only. There will not be a vote on it.

- Senators asked questions about the background and there were some expressions for support in the committee pursuing this potential policy change further.

g. Passing of the Gavel

- Gordon passed the gavel to Haring.

X. Adjourn

MOTION (Hatterman-Valenti for T.West/Johnson): to adjourn meeting. MOTION CARRIED WITH UNANIMOUS CONSENT.

Meeting adjourned at 4:22 pm.

Submitted by,
K. Hoyt
Faculty Senate Secretary

Policy Change Cover Sheet

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



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

SECTION: 133 Educational Policy

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes No
 - Describe change: The changes clarify and further align with SBHE Policy 820 which was amended on May 1, 2016 and with NDUS Procedure 820.1 which was amended on May 1, 2016.
2. This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted:
 - Karin Hegstad – Customer Account Services
 - Colette Erickson – Human Resources and Payroll
 - Email address of the person who should be contacted with revisions:
 - Karin.Hegstad@nds.edu, Colette.Erickson@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 4/10/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University Policy Manual

SECTION 133 EDUCATIONAL POLICY

SOURCE: SBHE Staff Human Resources Policy Manual
SBHE Policy Manual, Section 820.2043

The North Dakota State Board of Higher Education encourages ~~its~~ the employees within the North Dakota University System to pursue a program of continuing education.

1. For courses taken at the request of the employee, institutions shall waive or provide tuition assistance for benefited employees, limited to three approved for-credit undergraduate or graduate courses during each calendar year, in any combination of subsections 1 and 2 as follows:
 - 1.1 For courses taken at the campus of employee-employment regardless of delivery type: 100% tuition and fee waiver is provided, with the exception of the CND, NDSA, program and course fees which shall be paid by the employee.
 - 1.2 For courses taken at another NDUS campus, other than the campus of employment, regardless of delivery type: a system-wide fixed 50% employer paid tuition assistance, with the-employee paying the remaining 50% of tuition and 100% of all fees.
2. This educational benefit is available to benefited employees as defined in SBHE Policy 703.2. Employees who are eligible for this educational benefit are not eligible for the graduate assistant tuition waiver ~~absent exceptional circumstances.~~
3. Employees may be released from work for one face-to-face regular class sessions for one academic class per semester with approval of the employee's immediate supervisor and/or department head. Approval may be granted if it does not interfere with completion of the employee's essential job duties and the essential work of the institution.
4. ~~This policy is applicable to any degree eligible and remedial courses, regardless of delivery or instruction mode system, for NDSU employees only. This includes, but is not limited to, self support and online courses, that would be normally accepted toward a degree program. For these types of courses, the policy does not apply to employees of other institutions or of the university system.~~
 - 4.1 ~~Waivers cannot be used for third party provided curriculum where NDSU directly pays full or partial tuition collected to the third party-sponsored, grant funded, consortium programs such as the Great Plains IDEA consortium, study abroad, study tour, or remedial professional development courses which do not result in the award of college credit.~~
5. Release time may be granted only for the amount of time required to attend the regular class session. Field trips and outside class activities are not included.
6. ~~The waiver-tuition assistance benefit is applicable to all North Dakota University System institutions of higher education, and~~

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Attachment 1

~~6.7.~~ The waiver benefit is available to NDSU employees taking classes through the Tri-College University Course Exchange. Classes taken through the Tri-College University Course Exchange by employees of other ND University System institutions are available for the 50% tuition assistance benefit paid by the employee's institution to NDSU, subject to approval by the employee's institution.

~~7.8.~~ Regular employees, who are not North Dakota residents, may receive a waiver from the non-resident portion of tuition requirements for courses beyond the three classes per calendar year. All benefited employees are eligible for the North Dakota Resident tuition rate, regardless of receiving the waiver or tuition assistance benefit. It is the employee's responsibility to ensure ND resident tuition rates are assessed.

~~8.9.~~ Procedure:

~~8.9.1~~ The employee must obtain initial approval for this educational benefit from his/her immediate supervisor and/or department head, and final approval from the Human Resources and Payroll Office. After the initial approval is obtained, the Human Resources and Payroll Office will review to ensure the employee is eligible as a benefitted employee. The Customer Account Services office will review the educational benefit for course and waiver exclusions, and will process the tuition waiver or tuition assistance benefit.

~~8.9.1.1~~ To obtain a tuition waiver or tuition assistance benefit, employees must complete the standard "NDUS Employee Tuition Waiver or Assistance" form which is available in the Human Resources and Payroll Office.

~~8.9.1.2~~ The request for a tuition waiver or tuition assistance must be submitted and approved prior to the beginning of the class for which the waiver benefit is requested.

~~8.9.1.3~~ No employee who has an overdue accounts receivable balance with the University may receive a tuition waiver or tuition assistance.

~~8.9.1.4~~ The benefit will be considered used if the employee is enrolled in the course past the 100% drop date. If the employee does not remain enrolled in the course past the 100% drop date and wishes to use the benefit towards a new class, it is the employee's responsibility to notify the Human Resources and Payroll office.

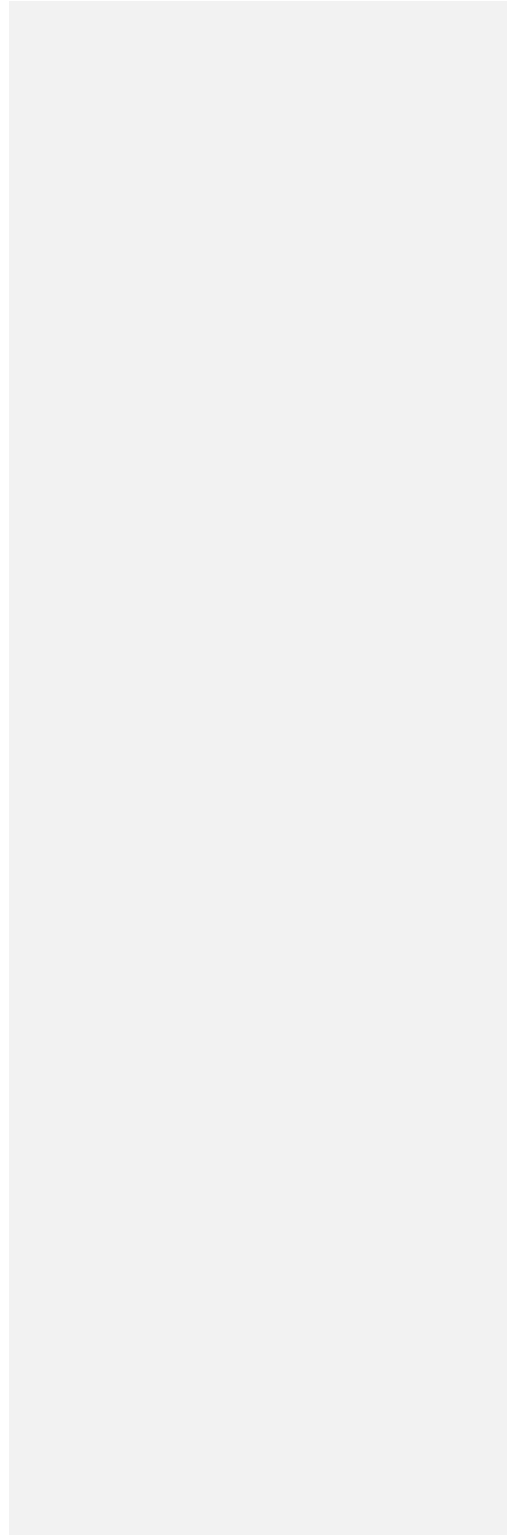
~~8.9.2~~ Upon approval, employees are responsible for registering for classes through regular admission/registration procedures.

HISTORY:

New	July 1990
Amended	April 1991
Amended	November 1992
Amended	January 1994
Amended	January 1996
Amended	February 1996
Amended	August 1997
Amended	February 1998
Amended	August 1999
Amended	October 2000
Amended	April 2002
Amended	May 2003

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Amended	February 2006
Amended	February 2009
Amended	October 18, 2010
Housekeeping	January 2011
Housekeeping	November 8, 2011
Amended	October 19, 2015



Policy Change Cover Sheet

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SECTION: **134.2 NDSU Lactation Policy**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes
 - Describe change: This is a new policy, related to all employees at NDSU, establishing family-friendly workplace guidelines in support of new mothers who wish to express breast milk during work hours. The policy is based on federal requirements; the Patient Protection and Affordable Care Act (PPACA) Section 4207 amended the Fair Labor Standards Act, Section 7.
 - Version 2 changes include:
 - o Opening paragraphs stating NDSU commitment to, and benefits of, family-friendly policies like 134.2
 - o Opening paragraphs outlining expectation that employee will request flexibility in time from supervisor
 - o Opening paragraphs outlining expectation that supervisor will work with employee
 - o Added language about "breastfeeding and expressing breast milk" throughout policy
 - o 1.1 – added "at least" to the previous one year guideline
 - o 1.1.1 – added "shall be reviewed" by supervisor
 - o 1.3 – added "or near" regarding lactation space locations
 - o 2.1 – added language regarding need for supervisor flexibility with non-exempt employees in terms of break times for breastfeeding/expressing breast milk, especially due to travel time frequently required for employee to reach designated lactation rooms.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Human Resources/Payroll and Equity Office 2/21/2017
 - Kara.Gravley-Stack@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 4/10/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University Policy Manual

SECTION 134.2 LACTATION POLICY

SOURCE: NDSU President

As part of our family-friendly policies and benefits, NDSU supports breastfeeding ~~mothers-employees~~ by accommodating the ~~mother-employee~~ who wishes to breastfeed or express breast milk during ~~her~~ the workday. ~~when separated from her child.~~ NDSU recognizes that supportive breastfeeding policies and practices in the workplace not only benefit the employee but also benefit the child and the employer. Employer benefits include greater workplace productivity, increased organizational loyalty, and increased job satisfaction. Breastfeeding employees experience higher productivity, fewer distractions, lower absenteeism to care for an ill child, and a lower risk of developing breast and ovarian cancer or diabetes. Babies experience immediate and long-term benefits from breastfeeding including better immune system development and tend to have fewer and less severe short-term illnesses and chronic illnesses.

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Any employee who wishes to breastfeed or express breast milk in the workplace shall notify the supervisor and discuss any relevant workload or scheduling issues.

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Commented [KG2]: Adapted from DePauw University policy

1. Supervisors are encouraged to work with their employees and within policy requirements to accommodate an employee who wishes to breastfeed or express breast milk.

Commented [KG3]: Adapted from UND policy

~~2.1.~~ NDSU shall provide:

~~2.1.1~~ Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for breastfeeding or expressing ~~on of~~ breast milk for at least one year after child's birth;

~~2.1.1.1.1~~ After one year of child's birth, continued breaks and work patterns to accommodate breastfeeding or expressing ~~on of~~ breast milk ~~may shall~~ be reviewed and agreed upon with employee's supervisor;

~~2.1.2~~ A convenient, sanitary, safe, and private location, other than a restroom, allowing privacy for breastfeeding or expressing breast milk;

~~2.1.3~~ A convenient, clean, and safe water source with facilities for washing hands and rinsing breast-pumping equipment located in or near the private location.

~~2.~~ NDSU shall not be required to compensate an employee receiving reasonable break time for any work spent breastfeeding or expressing breast milk. ~~for such purpose.~~

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~~2.1~~ Travel time to a lactation room must be considered and may extend the reasonable break time. Supervisors may permit extensions for reasonable break time with options that may include alternate start/stop times to the workday, rearranging break periods, and flexible scheduling. For non-exempt employees, supervisors will need to allow flexibility for employees to be able to earn all paid hours.

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Attachment 1

NDSU has the following lactation rooms and support resources available for nursing mothers:
<https://www.ndsu.edu/equity/pregnancy/>

HISTORY:

New _____, 2017

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SECTION: Policy 103 Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings

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

- Is this a federal or state mandate? Yes No
- Describe change: Housekeeping changes as follows:
 - o Correct language from "lies" to "lie" (1.6.4)
 - o Change title from Vice Provost for Advancement to Faculty to Vice Provost for Faculty and Equity (2.2.4.4)
 - o Change title from Vice President for Equity, Diversity, and Global Outreach to Vice Provost for Faculty and Equity and from Vice President to Vice Provost (3)
 - o Fix formatting problems in line spacing

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

- Office/Department/Name and the date submitted – Provost Office/Kara Gravley-Stack/ 3/16/17
- Email address of the person who should be contacted with revisions – Kara.Gravley-Stack@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 4/10/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University Policy Manual

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

SOURCE: NDSU President

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

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

STAFF

1. Staff (as defined in [NDSU Policy 101.1.1](#) generally referred to as "broadbanded employees" include those positions in the following job band: 1000, 3000, 4000, 5000, 6000, and 7000).
 - 1.1 If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for equal to or more than twenty weeks, the position shall be announced throughout the appropriate recruiting area as defined in Section [200](#) of this Manual.
 - 1.2 Generally speaking, the recruiting areas are as follows for staff positions:
 - 1.2.1 Administrative/managerial positions in the 1000 band: national.
 - 1.2.2 Professional positions in the 3000 band: regional.
 - 1.2.3 Technical/Paraprofessional (4000); Office Support (5000) Crafts/Trades (6000); and Services (7000): local (Fargo-Moorhead community and/or surrounding counties as applicable).
 - 1.3 When a benefitted staff position vacancy occurs and there is a pool of regular employees appropriately qualified for transfer or promotion (including former employees covered by Reduction in Force policy [Section 223](#)), a unit supervisor may choose to advertise a vacant position internally for a minimum of five working days prior to initiating an external search. The procedures, which involve utilizing the online application system for these internal searches, will be the same as those external searches as mentioned in subsection 1 (see Section [202](#)). The Human Resources/Payroll Office, in consultation with the unit supervisor, will be responsible to determine whether a pool of appropriately qualified employees exists.
 - 1.4 If the appointment is either less than .50 FTE or clearly stipulated to be for a total duration of less than twenty weeks (non-benefitted), no formal position announcement posting to the online employment application system is required. Unit supervisors are, however, encouraged to announce benefitted positions. The announcement may be distributed within

Attachment 1

the University to the eligible staff of the particular administrative unit involved. Affirmative action efforts must still be undertaken to ensure that qualified minority individuals, females, and individuals with disabilities are included in the applicant pool. Proof of affirmative action efforts will be required, such as documentation reflecting an open announcement to all eligible staff of an appropriate unit or adequate written documentation on why the candidate is being selected for the opportunity without an announcement to the appropriate unit. Distributing the position announcement to the other Tri-College University institutions or within the Fargo-Moorhead community is also encouraged.

- 1.5 Recruitment for all benefitted staff positions in the 1000 and 3000 bands shall include the use of a search committee of at least three people to be appointed by the unit administrator at the time the unit requests authorization to fill a position opening. Unit administrators are urged to consider the importance of diversity when making appointments to search committees.
 - 1.5.1 The search committee shall be involved in recruiting, screening, and interviewing applicants, with particular responsibility for affirmative action efforts to solicit and include applicants from underrepresented and protected groups. Selection from the group of finalists of the individual to fill the position is the responsibility of the unit administrator. A member of the Human Resources shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.
- 1.6. Although unit leaders are encouraged to post throughout the University any staff position that offers an important promotional opportunity to employees in other departments, the formal procedures for filling positions that involve utilizing the online application system for job announcements (see Sections [202](#) for broadbanded positions and [304](#) for non-banded) shall be optional in the following cases. (Whenever an appointment is based on one of the following options, the request to recruit must be completed online for benefitted positions and the specific option should be noted in the appropriate section of the online request to offer or on the NDSU [Change Form \(101\)](#) with relevant documentation attached.)
 - 1.6.1 Timeslip employment that is not identified as a payroll budget appointment.
 - 1.6.2 The transfer or promotion of an employee within a department or office, provided that the employee is fully qualified for the new position and was originally hired through a competitive search. This exception excludes faculty positions. This option is governed by [NDSU Policy 240](#) which provides procedures and the requirement of the hiring department to obtain permission from the Director of Human Resources/Payroll who will review for appropriateness of the promotion including equitable issues.
 - 1.6.3 When there is concurrence by the hiring department, reassignment due to:
 - 1.6.3.1 An injury resulting in worker's compensation award and subsequent retraining; or
 - 1.6.3.2 A reduction-in-force.
 - 1.6.4 When an employee, at time of hire or within two years of employment, has a spouse or partner who is fully qualified and interested in a university position. (Please note the responsibilities lie with the employed spouse/partner's unit supervisor to encourage the spouse/partner to locate positions that they feel they are fully qualified for and make an appointment with a staff member in Human Resources/Payroll Office and/or with the head/chair of the appropriate unit to review

Attachment 1

the spouse's/partner's education and experience. The hiring department will make the final hiring decision.

- 1.6.5 At the request of the appropriate supervisor, the reinstatement of a former NDSU employee who has left his/her employment within the previous nine (9) months, provided that:
 - 1.6.5.1 The employee had a satisfactory performance record; and
 - 1.6.5.2 The employee is returning to a position requiring similar qualifications and having similar responsibilities; and
 - 1.6.5.3 The position is within the department where he/she worked at the time of resignation.
- 1.6.6 The appointment of an employee to fill a vacant administrative position on an acting basis, normally for a period not to exceed one year, while a search is being conducted for a regular appointee.
- 1.6.7 With prior approval, the temporary appointment of a person to a grant-funded position when the individual has been instrumental in the development of the project or is identified by name in the proposal as having unique expertise necessary to the project. This temporary appointment may not be continued beyond the period of the grant project, and the individual may not be transferred to any other University appointment without an appropriate search.

Note: To use this option, proposal writers should indicate their intention on the transmittal form and provide a letter of explanation when the proposal is submitted to the Office of Sponsored Programs Administration. Those submitting proposals for internal funding that are not reviewed in Sponsored Programs Administration should contact the Office of the Provost prior to submitting the proposal.
- 1.6.8 An externally funded appointment as a broadbanded research professional in a department where the individual has just completed an NDSU graduate degree and the assignment involves continuation of the research used for the individual's thesis/dissertation. This appointment is limited to the period for which funding has been given and normally may not exceed two years.

Faculty and Executive/Administrative Staff

2. Executive/Administrative (primarily in 0000 job bands) and benefitted Academic Staff (in 2000 band – bands are defined in [NDSU Policy 101.1.2](#)), generally referred to as “non-banded employees,” include such positions as tenured and tenure-track faculty and deans. Recruitment falls under two primary categories: half time or less or interim (2.1) and more than half time (2.2).
 - 2.1 Titled and/or Compensated Positions (Less Than .50 FTE or Interim)

If the appointment is less than .50 FTE or stipulated to be for less than twenty weeks, the titled or compensated position shall be announced internally within the unit (and to other relevant internal units as appropriate to the position). The unit supervisor must ensure transparency and equal opportunities for individuals to learn about and apply for the positions. This means the unit supervisor must announce the position to appropriate unit(s)

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internally and accept applications for at least ten working days. Documentation of the announcement and review of applications must be provided to the Office of the Provost before the position is offered so the Office of the Provost can ensure compliance with this policy. Even when using internal searching, for any positions that come with fringe benefits, the formal search process detailed in [Policy 304](#) must be followed.

- 2.2 Equal to or Greater Than .50 FTE, Non-Interim Positions
If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for equal to or more than twenty weeks, the position shall be announced throughout the appropriate recruiting areas as defined in [Section 103.1](#) of this Manual (with the exception of graduate level degree seeking students).
- 2.2.1 Generally speaking, the recruiting areas are:
- 2.2.1.1 Executive/Administrative positions in the 0000 band: national.
 - 2.2.1.2 Benefitted Academic staff such as tenure/tenure track faculty in the 2000 band: national.
 - 2.2.1.3 The 2000 level: lecturer, assistant coach, assistant experiment station specialist, Extension district directors, Extension area specialists, and Extension field staff: regional.
- 2.2.2 Recruitment for all benefitted executive/administrative and academic staff positions (all those in the 0000 and 2000 job bands) shall include the use of a search committee of at least three people to be appointed by the unit administrator at the time the unit requests authorization to fill a position opening. Unit administrators are urged to consider the importance of diversity when making appointments to search committees. [NDSU Policy 339](#) requires for every faculty recruiting committee to include faculty from the unit and at least one student. A unit may wish to include both an undergraduate and a graduate student on the committee.
- 2.2.3 The search committee shall be involved in recruiting, screening, and interviewing applicants, with particular responsibility for affirmative action efforts to solicit and include applicants from underrepresented and protected groups. Selection from the group of finalists is the responsibility of the unit administrator and is based on the recommendation of the search committee. The Vice Provost for Faculty and Equity, or designee shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.
- 2.2.4 Exceptions to searches for benefitted executive/administrative, and academic and professional broadbanded staff positions listed (greater than .50 FTE and longer than 4 months) are limited to the following:
- 2.2.4.1 The transfer of an academic staff member from a lecturer line to a probationary appointment as outlined in the employee's original contract provided that he or she had secured the appointment on a nationally competitive basis.
 - 2.2.4.2 An externally funded appointment as a postdoctoral fellow, research scientist, or broadbanded research professional in a department where the individual has just completed an NDSU graduate degree and the

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assignment involves continuation of the research used for the individual's thesis/dissertation. This appointment is limited to the period for which funding has been given and normally may not exceed two years.

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

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

- 2.2.4.4 When a faculty member has a spouse or partner who is fully qualified and interested in a university position, a dual career exception to the search process may be made. The department or unit administrator is responsible to contact the Vice Provost for [Advancement of Faculty and Equity](#) as soon as possible. Hiring a spouse or partner depends upon the qualifications of the spouse or partner, the availability of a suitable and acceptable position in each case, and is subject to the approval of the department or unit into which the spouse or the partner will be hired, following an interview process within that unit. For positions in the 0000 job band and positions in the 2000 job band not defined as faculty, 1.6.4 applies.

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

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

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

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

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All Positions

3. Exceptions to this policy may be authorized by the President in unique circumstances. A written request for the Presidential exception is initiated by the hiring department and forwarded through the appropriate supervisory line to the unit's dean or director. If there is support from the dean or director, the request is forwarded to the Provost or the appropriate vice president. If the request is supported by the vice president after consultation with the Vice President/Provost for Faculty and Equity, Diversity, and Global Outreach and the unit's dean and director, it is forwarded by the Provost or Vice President/Provost to the President for consideration.

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HISTORY:

New	May 15, 1978
Amended	February 6, 1979
Amended	April 21, 1981
Amended	November 13, 1989
Amended	September 24, 1991
Amended	April 1992
Amended	August 1993
Amended	December 1994
Amended	May 4, 1999
Amended	October 2001
Amended	October 2004
Amended	April 2005
Amended	October 2006
Amended	October 2007
Amended	May 2008
Housekeeping	September 2009
Housekeeping	July 2010
Amended	October 2010
Housekeeping	December 2010
Housekeeping	March 2011
Amended	September 30, 2012
Amended	February 4, 2014
Housekeeping	March 20, 2014
Amended	April 24, 2014
Amended	December 12, 2014
Housekeeping	June 4, 2015
Housekeeping	April 14, 2016

Policy Change Cover Sheet

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



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

SECTION: 103.1 Recruitment for executive/administrative/managerial, academic staff and other non-banded positions (0000, 1000, and 2000 positions)

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes
 - Describe change: Updating language of EEO/AA statement – long form and short form – that are published on all job announcements
2. This policy change was originated by (individual, office or committee/organization):
 - Office of Vice Provost for Faculty and Equity – 12/7/2016
 - Kara.Gravley-Stack@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 4/10/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University Policy Manual

SECTION 103.1

RECRUITMENT FOR EXECUTIVE/ADMINISTRATIVE/MANAGERIAL, ACADEMIC STAFF AND OTHER NON-BANDED POSITIONS (0000, 1000 and 2000 positions)

SOURCE: NDSU President

1. Recruitment Areas

1.1 Generally, all full-time executive/administrative/managerial, academic staff and other non-banded positions require a national search. Based on the source of funding, salary ranges, and local availability, however, some of these positions require only a regional search (a wider search is always an option, if the hiring official wishes). EXCEPTIONS to the national search requirement for these types of positions include:

1.1.1 **2000 level:** lecturer, assistant coach, assistant experiment station specialist, Extension district directors, Extension area specialists, and Extension field staff.

1.2 Regular, part-time payroll positions (without regard to the funding source) require only a local search.

2. Recruitment Methods

2.1 Recruitment is a critical function for an effective equal opportunity/affirmative action employment program because increased diversity in the applicant pool is essential in order to increase the diversity of people actually employed. With this objective in mind, some potentially fruitful recruitment channels include:

2.1.1 Advertisements in appropriate professional journals and job registries and/or in The Chronicle of Higher Education. Publications which solicit advertisements on the basis of direct minority circulation are generally not a required method for recruiting; however, if applicant pools consistently lack diversity, a publication such as Affirmative Action Register should be considered.

2.1.2 Regional or national meetings of professional organizations and associations; women's and minority caucuses associated with professional groups are especially helpful and important.

2.1.3 College/University academic departments and placement offices especially at institutions where the student body is composed primarily of women or racial/ethnic minorities.

2.1.4 Industries, government, independent research institutions, etc., where racial/ethnic minorities or women are professionally engaged.

Recruitment (placement of advertisements, position announcement mailings, etc.) for administrative and academic positions is the responsibility of the hiring department. Once the Request to Recruit is approved, and posted online, it also is posted by Job Service North Dakota. A notice for staff positions requiring a minimum qualification of a bachelor's degree may be sent to the NDSU Career Center for their listing.

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All recruitment information should include one of the following statements:

- ~~North Dakota State University is an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, age, disability or veteran status or~~
- ~~NDSU is an EEO/AA M/F/Vet/Disability Employer.~~
- NDSU does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to: Vice Provost, Title IX/ADA Coordinator, Old Main 201, 701-231-7708, ndsuetoo@ndsuetoo.edu.
- NDSU is an equal opportunity educator and employer. Visit ndsuetoo.edu/equity/ or call 701-231-7708 for more information.

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The following additional language may be added to either option above:

- Women & traditionally underrepresented groups are encouraged to apply.

HISTORY:

New	July 1990
Amended	April 1992
Amended	March 2001
Amended	October 2007
Housekeeping	May 2010
Amended	December 27, 2010
Amended	December 10, 2014

Policy Change Cover Sheet

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SECTION: **Policy 130 Annual Leave**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change: NDUS policy 6 Annual leave placed a limit on how much leave may be taken in advance of accrual. This policy edit brings NDSU compliant with NDUS HR Policy 6.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: HR/Payroll, Noah Fischer, Associate Director HR & Payroll
 - Email address of the person who should be contacted with revisions: noah.fischer@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University Policy Manual

SECTION 130 ANNUAL LEAVE

SOURCE: NDUS Human Resources Policy Manual, Section 6
NDSU President

1. Annual leave with pay is earned by eligible employees for the purpose of freeing them from their regular duties to spend time in rest and recreation or to attend to personal matters. Upon approval, annual leave may only be used in place of regularly scheduled work hours and shall not cause overtime. Such leave should be programmed to insure that leave is taken rather than carried forward from year to year.
2. University operations govern annual leave periods. Consideration is given first to the convenience of the administration, departmental needs, then the employee's departmental seniority and finally to the employee's preference. Annual leave is computed on the basis of the employee's hours/week, and months/year.
 - 2.1 The employee must obtain authorization from his/her department head before taking annual leave. The form of this authorization is to be determined by the respective department head.
 - 2.2 The employee is responsible for furnishing their supervisor or department head with a completed "Notification of Employee Leave" card upon returning to work.
3. Annual leave with pay for full-time benefited, broadbanded staff employees is earned on the basis of continuous service from date of employment as follows:

First through third year - the equivalent of 12 days per year
Fourth through seventh year - the equivalent of 15 days per year
Eighth through twelfth year - the equivalent of 18 days per year
Thirteenth through eighteenth year - the equivalent of 21 days per year
Over eighteen years - the equivalent of 24 days per year

Annual leave for full-time, non-banded employees in the following job categories is earned on the same basis as for staff employees: graduate research fellows (2230), graduate teaching fellows (2235), post doc research fellows (2240), research scientists (2420), extension program assistants (2530), and international exchange scientists (2810).

Graduate teaching, research or service assistants and experiment station project assistants do not earn annual leave.

 - 3.1 Years of service shall be computed from the employment anniversary dates.
 - 3.2 Annual leave for part-time staff employees and the non-banded employees identified above in 3 is earned on a prorated basis.
4. Presidents, executive deans, provosts, vice presidents, positions excluded from the broadbanding system, and other positions approved by the President or chancellor at the time of hire are entitled

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to accrue a minimum of twelve working days and a maximum of 24 working days of annual leave each year to be taken at the convenience of the administration. Accrual rates for these employees are determined by the institution president. For any of these employees who are less than full-time, the annual leave will be prorated.

Each department may negotiate annual leave accrual on a case-by case basis during the recruitment, with prior Presidential approval. Current benefitted employees are not eligible.

5. Annual leave for 12 month faculty and other non-banded job categories not identified in #3 above is earned at the rate of 16 hours per month, 24 days per year. Annual leave will be prorated for those who are less than full-time. For non-banded employees on 9, 10, or 11, month appointments, see Section 320.
6. All eligible employees may accumulate annual leave hours. Full-time employees may accumulate up to 30 working days or 240 hours which shall be carried forward on January 1st of each year. Part-time employees may accumulate up to the equivalent number of days or hours on a prorated basis. Any accumulation in excess of 30 days or 240 hours (or the equivalent on a prorated basis for part-time employees) on December 31st of each year shall be cancelled.
7. All employees eligible to accumulate annual leave must take at least forty hours (or the equivalent on a prorated basis for part-time employees) of annual leave each year, except for the year during which they are hired.
8. When a holiday occurs during annual leave, the holiday is not considered a day of annual leave time.
9. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll or designee, an employee may be granted annual leave in advance of the accumulation thereof up to a maximum of 40 hours. In rare cases, such as leave due to a workers compensation claim or shared leave, the HR/Payroll office may process leave which exceeds the 40 hour advance. Annual leave taken in advance of accumulation may be deducted from the employee's last paycheck provided the employee has signed an agreement authorizing the deduction. This agreement must be submitted to and approved by the Office of Human Resources and Payroll prior to the employee obtaining a negative accrual balance.
10. Benefitted employees terminating employment must be paid for earned unused annual leave subject to all approved payroll matched reductions/deductions. "Unused annual leave" shall include any leave carried over from the previous year and all accrued leave up to the date of termination. Proper termination notice must be given and any unearned annual leave taken shall be deducted from the employee's last paycheck.
 - 10.1 Annual leave earned by an employee on a 12 month appointment may not be carried forward by the employee to be used or paid for during the term of a subsequent appointment for less than 12 months and must be paid out.
11. In case of death, payment of all earned, unused annual leave shall be paid according to Section 34-01-12 of the North Dakota Century Code. (See Section 183.)
12. Accrued annual leave for employees previously employed with other North Dakota institutions or agencies may be transferred to institutions under the State Board of Higher Education according to agreements between the employee and the institution. If re-employment occurs within one calendar year, the re-employing institution shall credit the employee with prior years of service from any state agency in computing annual leave accrual rate.

Commented [NF1]: Reflects change to maximum negative leave allowable and consistent with NDUS HR Policy 6 on Annual Leave. TLAB will also limit the amount of negative leave to 40 hours.

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13. When employment begins or ends during a pay period, the accrual of annual leave shall be prorated for the pay period when the employee is hired or terminated and does not work a full pay period.

14. ~~"Notification of Employee Leave" cards Leave requests are processed on an on-going basis. Each department is responsible for verifying the Departmental Leave Record. Late Leave Cards and errors must be submitted to the Office of Human Resources/Payroll for entry and/or correction. The approving supervisor is responsible for verifying leave balances before approving. Corrections to leave will be handled by the Office of Human Resources and Payroll.~~

Commented [NF2]: The departmental leave report is no longer going to run- supervisors will have real time balances to look at before approving.

TLAB will allow departments to enter late leave and will no longer need to come to HR & Payroll, but corrections will still be handled by HR&Payroll.

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HISTORY:

New	July 1990
Amended	April 1996
Amended	March 1998
Amended	October 1999
Amended	April 2002
Amended	October 2003
Amended	March 2006
Housekeeping	April 2010
Housekeeping	May 15, 2012
Housekeeping	April 11, 2013
Housekeeping	July 12, 2013
Amended	March 26, 2014
Amended	November 7, 2014
Amended	June 22, 2015

Policy Change Cover Sheet

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SECTION: Policy 143 Sick/Dependent Leave

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes No
 - Describe change: NDUS policy 7 Annual leave placed a limit on how much leave may be taken in advance of accrual. This policy edit brings NDSU compliant with NDUS HR Policy 7.
2. This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted: HR/Payroll, Noah Fischer, Associate Director HR & Payroll
 - Email address of the person who should be contacted with revisions: noah.fischer@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 4/10/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University Policy Manual

SECTION 143 SICK/DEPENDENT LEAVE

SOURCE: NDSU PRESIDENT
NDUS Human Resource Policy Manual

1. Sick leave, including maternity, is a benefit granted by the University to eligible employees and is not a benefit considered to be earned by the employee such as annual leave. It is an insurance benefit allowing employees to build a reserve of days they can use for their extended illnesses. *Abuse of this benefit may be grounds for disciplinary action or termination.* Employees are responsible for informing their supervisors prior to the start of their work schedule of their sickness.
 - 1.1 The employing department may require satisfactory medical verification as deemed necessary by the department head prior to the payment of sick leave.
 - 1.2 The employee is responsible for furnishing their supervisor or department head with a completed "Notification of Employee Leave" card upon returning to work.
 - 1.3 Sick leave may only be used in place of regularly scheduled work hours and shall not cause overtime.
2. Sick leave is granted on the basis of continuous service from date of employment for benefited staff employees, *and benefited 12-month academic staff and other non-banded staff.*
3. Sick leave for full-time eligible employees accrues based on rate per hour at a rate equivalent to 12 days per year. Sick leave for eligible part-time employees working 20 hours or more per week is granted on a prorated basis. Sick leave accumulation is unlimited.
4. Sick leave may be granted to employees who become ill while on vacation provided satisfactory medical proof of such illness is submitted.
5. When a holiday occurs during a paid sick leave, the holiday is not considered a day of sick leave.
6. Upon termination, employees with ten years of continuous state service will receive a payment equivalent to 10% of the dollar value of their accrued sick leave. The amount is computed on the basis of the employee's salary at the time of termination and shall be in the form of a lump-sum payment.
7. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll or designee, an employee may be granted sick leave in advance of the accumulation thereof up to a maximum of 40 hours. In rare cases, such as leave due to a workers compensation claim or shared leave, the HR/Payroll office may process leave which exceeds the 40 hour advance. ~~Any~~ Sick leave taken in advance of accumulation may be deducted from the employee's last paycheck provided the employee has signed an agreement authorizing the deduction. ~~This agreement must be submitted to and approved by the Office of~~

Commented [NF1]: Reflects change to maximum negative leave allowable and consistent with NDUS HR Policy 6 on Annual Leave. TLAB will also limit the amount of negative leave to 40 hours.

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Human Resources and Payroll prior to the employee obtaining a negative accrual balance.

8. *Unless an approved leave of absence has been granted, an employee who is off the payroll for one year shall lose unused sick leave.*
9. Accrued sick leave is transferable from any state agency to the employing institution if employment with the institution occurs within one calendar year of separation of service with the state agency. In the event of a Reduction in Force, sick leave is transferable if reemployment occurs within two calendar years.
10. Sick leave may be used by the employee when:
 - 10.1 The employee is unable to work due to a mental or physical condition (including maternity).
 - 10.2 The employee has an appointment for the diagnosis or treatment of a medically related condition.
 - 10.3 The employee wishes to attend to the needs of an eligible family member who is ill or to assist them in obtaining other services related to their health. Eligible family members include the employee's spouse, parent (natural, adoptive, foster, and step-parent); child (natural, adoptive, foster, and step-child); or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family member.
 - 10.4 Sick leave used for the purposes described in 10.3 shall not exceed eighty (80) hours per calendar year.
 - 10.5 In the case of a serious health condition of an eligible family member, an employee may take up to a total of four-hundred-eighty (480) hours of sick leave in any twelve-month (12) period, including the eighty (80) hours in section 10.4 above.
 - 10.6 The employee is caring for a newborn child or for a child placed with the employee, by a licensed child-placing agency, for adoption or as a precondition to adoption, but not both. Sick leave in such cases is limited to six (6) weeks during the first six (6) months from birth or placement.
 - 10.7 The employee seeks for oneself or to assist a parent, child, spouse, sibling, or any other individual who regularly resides in the household or who within the prior six months regularly resided in the household, with the consequences of domestic violence, a sex offense, stalking, or terrorizing. Sick leave may be used to seek legal or law enforcement remedies; treatment by a health care provider for physical or mental injuries; obtain services from a domestic violence shelter, rape crisis center, or social services program; obtain mental health counseling; and participate in safety planning, relocation or other actions to increase the employee's or immediate family member's safety from future domestic violence, a sex offense, stalking or terrorizing. The immediate supervisor may limit the use of sick leave for this section to forty (40) hours per calendar year.
11. *The accrual of sick leave shall be prorated for the pay period in which employment begins or ends.*

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- 12. Sick leave is not accrued during developmental leaves or leaves of absence without pay.
- 13. Accumulated sick leave may be used for any period(s) of actual disability caused or contributed to by pregnancy. Beyond the period of disability, an employee may request use of annual leave, family leave, and/or leave without pay to provide for an extended post-delivery period away from work.
- 14. ~~"Notification of Employee Leave" cards~~ Leave requests are processed on an on-going basis. The approving supervisor is responsible for verifying leave balances before approving. Each department is responsible for verifying the Departmental Leave Report. Late leave cards and errors must be submitted to the Office of Human Resources/Payroll for entry and/or corrections. Corrections to leave will be handled by the Office of Human Resources and Payroll.

Commented [NF2]: The departmental leave report is no longer going to run- supervisors will have real time balances to look at before approving.

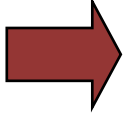
TLAB will allow departments to enter late leave and will no longer need to come to HR & Payroll, but corrections will still be handled by HR&Payroll.

HISTORY:

New	July 1990
Amended	April 1992
Amended	July 1997
Amended	April 2002
Amended	January 2004
Amended	November 2005
Amended	January 2007
Amended	March 2008
Amended	November 7, 2011
Housekeeping	July 12, 2013
Amended	October 5, 2015

Policy Change Cover Sheet

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



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

SECTION:

157 – Grievance Procedures

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? No
 - Describe change: Housekeeping changes as follows:
 - o Add “harassment, or retaliation” as being addressed under this grievance policy (under #5)
 - o Updated protected classes, name of policy 156, and areas covered by 156 (under #5.1)
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: Equity Office / Kara Gravley-Stack 3/22/2017
 - Email address of the person who should be contacted with revisions: Kara.Gravley-Stack@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President’s Cabinet:

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

North Dakota State University

Policy Manual

SECTION 157 GRIEVANCE PROCEDURES

SOURCE: NDSU President

1. A grievance exists when an employee is dissatisfied with an aspect of his/her employment over which the employee has no control and on which remedial action is desired, excluding job family assignment and performance evaluations for broadbanded staff and other employees not covered under Section 353. (Section 241).
2. If an employee feels unfairly treated or has a complaint, the employee shall first discuss it with the immediate supervisor. It may be a case of misunderstanding which can be straightened out by frank discussion.
3. All employees have the right to present grievances to their supervisors or department heads and are assured freedom from discrimination, coercion, restraint or reprisal in presenting grievances.
4. At each step of the grievance procedure, the employee may be represented by another University employee or by a representative of the employee's choosing.
5. The intent of the University's grievance procedures is to provide a reasonable opportunity for the resolution of an employee's dispute with the University. Depending upon the nature of the grievance, the University has several formal grievance procedures which are available for use by an employee who feels aggrieved or discriminated against and for which informal discussions have not been satisfactory to the employee. If more than one of the University grievance procedures is available for a particular issue, the employee should consult with the Director of Human Resources/Payroll, the Vice Provost for Faculty and Equity (in the case where the issue involves alleged discrimination) or a unit administrator when considering grievance options. Once an employee files a formal grievance in writing with the Office of the Provost, the Office of Human Resources/Payroll or the Presiding Officer of the University Senate (to initiate a faculty Special Review Committee), the employee will not be entitled to grieve the same issue using another internal grievance procedure. If an employee seeks the resolution of a grievance in any external forum, whether administrative or judicial, prior to seeking resolution of the issue by filing a grievance in one of the formal internal grievance procedures listed below or while one of those grievance procedures is in progress, the University may, following notification to the employee, suspend the internal grievance procedure pending a final decision in the external forum.

The Director of Human Resources/Payroll (and the Vice Provost for Faculty and Equity in a case of alleged discrimination, [harassment, or retaliation](#)) will act in an advisory capacity, as requested, to all parties involved in the grievance procedure.

All employees

- 5.1 If the grievance is based on alleged discrimination, that is, an issue related to [age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity](#), ~~race, color, religion, national~~

~~origin, sex (including sexual harassment), disability, age, veteran's status, or sexual orientation~~ any employee may use the Equal Opportunity Grievance Discrimination, Harassment, and Retaliation Complaint Procedure (Section 156). This procedure includes information about the process for filing a complaint, retaliation prohibitions, remedial measures, informal and formal resolution processes, notice of mandatory reporting responsibilities, and filing a complaint with an external agency.~~phases for administrative review, negotiation, and if necessary, a hearing before a special hearing committee.~~

Faculty

- 5.2 If the grievance involves a faculty member (instructor, assistant professor, associate professor, or professor), lecturer, adjunct faculty member or graduate teaching assistant and is based on a dismissal, termination, nonrenewal or nonpromotion, grievance procedures are described in Sections 350.3. Grievances based on matters other than dismissal, termination, nonrenewal, or nonpromotion may also be grieved using the procedure described in Section 353.

Broadbanded and all other employees

- 5.3 If the grievance is based upon an aspect of employment over which an employee has no control and desires remedial action, e.g., salary, working conditions, disciplinary action, etc., the employee uses the Condition of Employment Grievance Procedure (Section 230). This grievance option is limited to regular employees who have completed their probation period.
- 5.4 If the grievance is based on a suspension without pay, dismissal or demotion which the employee feels is unjust, the employee uses the Grievance Procedure for Termination of Employment (See Section 231). This grievance option is limited to regular employees who have successfully completed their probationary period.
6. The University's Director of Human Resources/Payroll and the Vice Provost for Faculty and Equity are available to provide assistance to employees in determining, under the given circumstances, which grievance procedure may be most appropriate.

HISTORY:

New	July 1990
Amended	April 1992
Amended	May 1997
Amended	October 1997
Amended	October 2002
Amended	March 2005
Amended	October 2007
Housekeeping	July 2010
Housekeeping	April 15, 2016

Policy Change Cover Sheet

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

SECTION: **712 – Contract Review**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change: Housekeeping changes including:
 - o Update Provost title and stated areas for agreements
 - o Remove redundant reference to Office of Provost
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: Equity Office / Kara Gravley-Stack 3/22/2017
 - Email address of the person who should be contacted with revisions: Kara.Gravley-Stack@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University
Policy Manual

SECTION 712
CONTRACT REVIEW

SOURCE: NDSU President
SBHE Policy Manual, Section 840

1. Any contractual agreement involving North Dakota State University must be signed by the President and/or the Vice President for Finance and Administration, or their designated representative or as otherwise stated in Section 2.
2. The following positions have contractual authority in the stated areas:

Provost and Vice President for Academic Affairs	academic agreements, <u>international agreements, and agreements related to equity and compliance</u>
Vice President for Agriculture and University Extension	entitlement programs such as Hatch and McIntire-Stennis funds and USDA/CSRS noncompetitive grants; Extension Service funds such as Smith-Lever funds
Office of the Provost	<u>agreements related to Equity, Diversity & Global Outreach's mission such as grants and/or international agreements</u>
Vice President for Information Technology or Dean, NDSU Libraries	software site licensing contracts
Vice President for Research and Creative Activity	research grants and contracts and technology transfer documents
Vice President for Student Affairs	student affairs agreements
Director, Division of Fine Arts	Reineke Fine Arts and Askanase Hall use
Director of Purchasing	purchase agreements and leases
State Forester	Cooperative Forestry Assistance funds

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3. Delegated authority to sign as a designated representative shall be in writing and submitted to the President. All contracts and contract amendments, must be approved by the Assistant Attorney General pursuant to State Board of Higher Education Policy 840. Any contract document, lease

Attachment 1

agreement, etc., not bearing an authorized signature will not be binding to the University. Assistant Attorney General approved form contracts don't need further approval unless they are changed.

4. Written delegation must specify area of contract authority by position and/or name and be reviewed by the delegator when person in that position changes.

For more information regarding contract review, see [SBHE Policy 840](#) and [NDUS Procedure 840](#).

HISTORY:

New	July 1990
Amended	April 1992
Amended	November 1992
Amended	May 1996
Amended	February 2000
Amended	October 2000
Amended	January 2003
Amended	February 2005
Amended	October 2007
Amended	January 2008
Amended	December 27, 2010
Housekeeping	March 16, 2015
Housekeeping	August 31, 2015
Housekeeping	January 25, 2016

**University Curriculum Committee Report
For Faculty Senate Meeting on May 8, 2017**

General Education Recommendations
GEOL 201, The Geology of Climate Change and Energy – approval for Natural Science and Global Perspectives categories
PH 101, Introduction to Public Health – approval for Social and Behavioral Science – Wellness and Diversity categories
Undergraduate Learning Outcomes – updated outcomes separating Global Perspectives from Diversity and eliminating secondary outcomes (see attachment)

Course and Program Curricular Approval Recommendations
Timeline procedures for General Education course requests and all new and existing course and program proposals (see attachment)

Program Changes
Agribusiness and Applied Economics – accelerated Master of Science degree proposal
Minor in Aerospace Studies – change in number of credits needed for the minor

New Prefix
TIPS – Tribal and Indigenous People Studies

New Uniform Course Number
(Prefix) 189 – Skills for Academic Success

New Courses				
Subject	No.	Title	Crs.	Effective Term
GEOL	201	The Geology of Climate Change and Energy	3	Spring 2018

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
ART	185	Design and Digital Media I	3	ART	185	Graphic Design I	3	Fall 2017
ART	280	Photography II	3	ART	280	Digital Image and Output	3	Fall 2017
ART	285	Design and Digital Media II	3	ART	285	Graphic Design and Digital Media	3	Fall 2017
ART	380	Photography III	3	ART	380	Topics in Photography	3	Fall 2017
ART	385	Design and Digital Media III	3	ART	385	Topics in Graphic Design	3	Fall 2017
ART	480	Photography IV	3	ART	480	Advanced Photography	3	Fall 2017
ART	485	Design and Digital Media IV	3	ART	485	Advanced Graphic Design	3	Fall 2017
CNED	787	Professional Issues: Professional Development, Consultation and Publishing	3	CNED	887	Professional Issues: Professional Development, Consultation and Publishing	3	Summer 2017
HNES	702	Sport Marketing and Public Relations in HNES	1	HNES	702	Introduction to Advanced AT and Professionalism	1	Fall 2017
HNES	720	Fitness/Wellness Management	3	HNES	720	Advanced Emergency Care	3	Fall 2017
HNES	722	Readings in Sports Medicine	3	HNES	722	Evidence Based Orthopedic Evaluation	3	Spring 2018
HNES	776	Non-Orthopedic Assessment	3	HNES	776	Non-Orthopedic Assessment	2	Fall 2017
HNES	781	Orthopedic Assessment I	5	HNES	781	Orthopedic Assessment I	4	Fall 2017
HNES	786	Diagnostic Evaluation of Athletic Injuries	3	HNES	786	Diagnostic Ultrasound – Shoulder and Knee Basics	3	Spring 2018
HNES	788	Technology in Athletic Training	3	HNES	788	Diagnostic Ultrasound – Case Studies and Ankle Basics	3	Spring 2018
MICR	675	Animal Virology	3	MICR	675	Virology	3	Fall 2017
MUSC	357	Marching Band Methods & Techniques	2	MUSC	357	Marching Band Methods & Techniques	1	Fall 2017
MUSC	358	Jazz Methods	2	MUSC	358	Jazz Methods	1	Fall 2017
PHRM	351L	Pharmaceutical Care Laboratory I	2	PHRM	351L	Pharmacy Practice Laboratory I	2	Spring 2018
PHRM	452L	Pharmaceutical Care Laboratory II	2	PHRM	452L	Pharmacy Practice Laboratory II	2	Fall 2017
PHRM	551L	Pharmaceutical Care Laboratory III	2	PHRM	551L	Pharmacy Practice Laboratory III	2	Fall 2017
PHRM	552L	Pharmaceutical Care Laboratory IV/Introductory Pharmacy Practice Experience IV	2	PHRM	552L	Pharmacy Practice Laboratory IV	2	Spring 2018
RELS	100	Introduction to Religion	3	RELS	100	World Religions	3	Summer 2017

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
ADHM	455	Advanced Apparel Assembly	Desc: Application of the principles and concepts of advanced apparel assembly and their application to finished garments in a particular category of apparel: jackets, dresses, formalwear and casual sportswear. May be repeated.	Fall 2017

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions (continued)				
ART	185	Graphic Design I	Desc: Introduction to the foundations and principles of graphic design and graphic design software.	Fall 2017
ART	280	Digital Image and Output	Desc: Introduction to digital photography workflow, digital image editing software, and inkjet printing.	Fall 2017
ART	285	Graphic Design and Digital Media	Desc: Intermediate-level introduction to concepts and practices related to graphic design, digital technologies and their applications in design and visual arts.	Fall 2017
ART	380	Topics in Photography	Desc: Instruction in topics related to the advanced study of photography. Studio techniques, project development, and effective visual and oral communication practices are emphasized. May be repeated for credit.	Fall 2017
ART	385	Topics in Graphic Design	Desc: Development of concepts and practices related to graphic design, digital technologies and their applications in design and visual arts. May be repeated for credit. Prereq: ART 185	Fall 2017
ART	485	Advanced Graphic Design	Desc: Development and application of concepts and practices related to graphic design and visual arts through individual semester projects that may support capstone experience. May be repeated.	Fall 2017
CNED	710	Counseling Techniques	Prereq: Admission to program	Fall 2017
CNED	713	Assessment Techniques	Prereq: CNED 710 and CNED 711 or instructor approval	Summer 2017
CSCI	160	Computer Science I	Prereq: MATH 103	Fall 2017
HNES	224	Sport and Event Management	Prereq: HNES 190	Fall 2017
HNES	702	Introduction to Advanced AT and Professionalism	Desc: This course will include discussion of the expectations and responsibilities of the post-professional athletic trainer's transition into graduate school and as a professional healthcare provider. The content will be focused on information and tools to adjust to the new roles and responsibilities.	Fall 2017
HNES	720	Advanced Emergency Care	Desc: This course will introduce advanced emergency care techniques as well as reinforce basic knowledge already learned in previous course work. Certified Athletic Trainers are expected to perform life-saving measures and this course will develop the skills needed to treat athletes and lay public with evidence based medical care.	Fall 2017
HNES	722	Evidence Based Orthopedic Evaluation	Desc: This course will involve investigation, discussion, and reflection of the research on clinical orthopedic special tests to allow the student to implement evidence based clinical examinations.	Spring 2018
HNES	786	Diagnostic Ultrasound – Shoulder and Knee Basics	Desc: This course will introduce students to the normal tissue characteristics, common pathology characteristics and shoulder and knee evaluation protocols with musculoskeletal ultrasound.	Spring 2018
HNES	788	Diagnostic Ultrasound – Case Studies and Ankle Basics	Desc: This course will introduce students to the normal tissue characteristics and common pathology characteristics of the ankle evaluation protocol with musculoskeletal ultrasound. In addition, students will perform shoulder, knee and ankle evaluations on patients in the clinical setting (NDSU Athletic Training Room) to practice their diagnostic ultrasound examination skills and have a better understanding of common pathologies.	Spring 2018
MICR	675	Virology	Desc: The biology of viruses with emphasis on virus replication and pathogenesis.	Fall 2017
MUSC	357	Marching Band Methods & Techniques	Desc: This course is intended to assist in developing the skill and knowledge essential for the successful administration and implementation of a sports band (marching and pep bands) program within the public school context.	Fall 2017
MUSC	358	Jazz Methods	Desc: This course is intended to assist in developing the skills and knowledge essential for the successful administration and implementation of a jazz program (Big Band and Combos) within the public school context.	Fall 2017

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions (continued)				
MUSC	643	Keyboard Literature	Desc: Survey of keyboard styles, instrumental development, and literature (excluding organ) from the early 14 th century through the 21 st century, with special emphasis on works from 1775-1925. May be repeated for credit.	Fall 2017
PHRM	452L	Pharmacy Practice Laboratory II	Prereq: PHRM 351L with a grade of C or higher	Fall 2017
PHRM	551L	Pharmacy Practice Laboratory III	Prereq: PHRM 452L with a grade of C or higher	Fall 2017
PHRM	552L	Pharmacy Practice Laboratory IV	Prereq: PHRM 551L with a grade of C or higher	Spring 2018
RELS	100	World Religions	Desc: Explores the beliefs, practices and origins of the world's major religions and introduces analytical approaches to studying religion.	Summer 2017

Program Inactivations	
B.S. and B.A. in Botany – effective term Summer 2020; no new students admitted to the program beginning fall 2016	
B.S. and B.A. in Zoology – effective term Summer 2020; no new students admitted to the program beginning fall 2016	

Course Inactivations				
Subject	No.	Title	Crs.	Effective Term
CNED	733	Marital Counseling	3	Summer 2017
STAT	762	Messy Data Analysis	3	Spring 2018

Faculty Senate - FYI				
Subject	No.	Title	Crs.	Effective Term
BUSN	299	New Special Topics course – Introduction to Entrepreneurship	3	Fall 2017
MRKT	499	New Special Topics course – Digital Marketing	3	Fall 2017

Undergraduate Learning Outcomes

Table mapping proposed recommended changes to NDSU's Existing GE Categories to the New Undergraduate Learning Outcomes (created by the UCC April 12, 2017).

Proposed Change #1 - UCC recommends that Diversity and Global Perspectives be separated into 2 unique categories to replace "Human Societies" to more effectively reflect the differences between the learning outcomes of these unique categories. **Proposed Change #2** - Elimination of Possible Secondary New Undergraduate Learning Outcomes. The committee views these as valuable attributes for faculty to consider but from an assessment/evaluative standpoint at the University level having additional outcomes to review will become too cumbersome to manage.

Existing NDSU Categories	Core Undergraduate Learning Outcome for Each Category (Approved by Faculty Senate - May 9, 2016)	Undergraduate Learning Outcomes	Possible secondary New Undergraduate Learning Outcomes for Each Category
First Year Experience (F) (Removed from General Education Requirements; approved Faculty Senate March 20, 2017)	Personal & Social Responsibility		-
Communication (C)	Communication	Students will use a variety of modes, particularly written, oral, artistic, and visual, to <ul style="list-style-type: none"> effectively communicate analysis, knowledge, understanding, expression and/or conclusions skillfully use high-quality, credible, relevant sources demonstrate appropriate conventions in a variety of communication situations demonstrate the ability to communicate effectively with diverse audiences in a variety of contexts 	Critical Thinking, Diversity and Global Perspectives, Technology, Personal & Social Responsibility
Quantitative Reasoning (R)	Critical Thinking, Creative Thinking, and Problem Solving	Students will <ul style="list-style-type: none"> explain the nature of evidence used for analysis apply quantitative and qualitative methods to collect and analyze data apply creativity and divergent thinking evaluate the assumptions, evidence, and logic of competing views and explanations identify methods of inquiry, approaches to knowledge, and their assumptions and limitations in multiple disciplines evaluate, synthesize, and apply evidence to understand and address complex, real world problems generate creative, reasoned, approaches or solutions to unscripted, real world problems 	Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Science & Technology (S)	Natural and Physical Sciences or Technology	TECHNOLOGY Students will <ul style="list-style-type: none"> apply technology to demonstrate creativity and solve problems use technology to enhance understanding identify the social, aesthetic, and ethical implications of technological decisions analyze how technology shapes, limits, and augments our experiences and understandings 	Critical Thinking, Diversity and Global Perspectives, Communication, Personal & Social Responsibility
		NATURAL AND PHYSICAL WORLDS Students will <ul style="list-style-type: none"> analyze components and dynamics of natural and physical worlds develop models to explain phenomena within the natural and physical worlds identify the role of scientific methods in the study of natural and physical worlds 	Critical Thinking, Diversity and Global Perspectives, Communication, Personal & Social Responsibility
Humanities & Fine Arts (A)	Human Societies	Students will <ul style="list-style-type: none"> identify the nature and impact of aesthetic and creative activities in human experience analyze the interplay of self and society, particularly how social structures shape human experiences and how humans shape social structures analyze the components and dynamics of human societies in their artistic, cultural, and historical contexts apply theories or research methods to understand human events, identities, artifacts, or social structures engage in a creative, aesthetic, or artistic activity 	Critical Thinking, Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility
Social & Behavioral Sciences (B)			
Social & Behavioral Sciences - Wellness (W)	Personal & Social Responsibility	Students will <ul style="list-style-type: none"> examine their own values, biases, and conclusions analyze the ethical basis for and implications of personal, professional, and civic decisions comprehend and demonstrate appropriate standard of professional behavior identify stewardship of the land and its people as integral to a land-grant university analyze human impacts on the world and the importance of sustaining its resources for future generations engage in service learning 	Critical Thinking, Diversity and Global Perspectives, Communication, Technology, Personal & Social Responsibility

Cultural Diversity (D) (embedded in other category)	Human Societies <u>Diversity (embedded in other category)</u>	DIVERSITY AND GLOBAL PERSPECTIVE Students will <ul style="list-style-type: none"> • identify how values and contributions of diverse societies provide contexts for individual experiences, values, ideas, artistic expressions, and identities • identify the role diversity plays in the ability of biological organisms to adapt to a changing environment • analyze how diversity contributes to and shapes solutions to challenges confronting the global community • evaluate how diverse systems (both natural and human-made), technologies, or innovations emerge from, interact with, and affect various communities • collaborate with others in diverse interpersonal, intercultural, or international settings 	Diversity and Global Perspectives
Global Perspectives (G) (embedded in other category)	Human Societies <u>Global Perspectives (embedded in other category)</u>	GLOBAL PERSPECTIVES Students will <ul style="list-style-type: none"> • apply theories or research methods to develop strategies and solutions that address global challenges • identify potential benefits and explore the opportunities of being a global citizen • analyze how communities are impacted by and/or contribute to globalization from various perspectives • analyze the process and/or develop models of global trends • evaluate global phenomena using perspectives, attitudes and beliefs of communities with cultural backgrounds different from their own 	
General Education Categories that do not follow standard review procedures			
Upper Division Writing (approved by the GE Committee after review from the English Department in the Disciplines Committee)	Communication	Students will use a variety of modes, particularly written, oral, artistic, and visual, to <ul style="list-style-type: none"> • effectively communicate analysis, knowledge, understanding, expression and/or conclusions • skillfully use high-quality, credible, relevant sources • demonstrate appropriate conventions in a variety of communication situations demonstrate the ability to communicate effectively with diverse audiences in a variety of contexts	
Capstone in major (not presently reviewed by the GE committee)	Critical Thinking, Creative Thinking, and Problem Solving	Students will <ul style="list-style-type: none"> • explain the nature of evidence used for analysis • apply quantitative and qualitative methods to collect and analyze data • apply creativity and divergent thinking • evaluate the assumptions, evidence, and logic of competing views and explanations • identify methods of inquiry, approaches to knowledge, and their assumptions and limitations in multiple disciplines • evaluate, synthesize, and apply evidence to understand and address complex, real world problems • generate creative, reasoned, approaches or solutions to unscripted, real world problems 	

~~Green Strike Thru~~ and ~~Red~~ - Proposed changes UCC Committee (April 12, 2017); Remaining Document approved by Faculty Senate May 6, 2016

University Curriculum Committee

Course and Program Curricular Approval Recommendations

April 24, 2017

Background

The Office of Registration and Records needs to bring CourseLeaf offline each summer to perform administrative updates within the system. To ensure compliance in the governance approval process and proposal forms are up-to-date with NDSU and NDUS policies and procedures, a best practice of CourseLeaf institutions is to destroy stalled proposals at the end of an academic year and institute deadlines during the academic year to promote early submission of proposals for the upcoming academic year.

Procedural Proposal for Faculty Senate Approval

Stalled proposals

The University Curriculum Committee directs the Office of Registration and Records to “shred” stalled CourseLeaf course and program proposals at the end of each academic year after the May Faculty Senate meeting.

- Prior notification would go out on the Chairs and Deans listservs to recommend backing up stalled proposals at their levels.
- New program proposals in Stage I/II processes will not be destroyed.
- All new or existing course proposals not approved by the May Faculty Senate meeting would be subject to purge.
 - Existing courses would revert to original state.
- Existing program proposal edits not approved by the May Faculty Senate meeting would also revert to the unedited curriculum.

General Education Course Requests

General Education course submissions (new course seeking general education category approval or existing course seeking new or additional general education category approval) will only be reviewed during fall semester.

Deadlines

All new and existing course and program proposals must be initiated in CourseLeaf by the Friday of Spring Break week. Functionality to submit proposals will be removed and inactive until early August. This deadline will be in place to allow sufficient time for department, college, Graduate Council, University Curriculum Committee, and Faculty Senate review/approval. Course and program proposals submitted prior to the deadline are not guaranteed to be reviewed before the end of the academic year.

Policy Change Cover Sheet

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



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

SECTION: Policy 161 Fitness for Duty

- 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 xxx No
 - Describe change: Clarification of the process and changing it so it is consistent with other policies/federal laws
 - Family Medical Leave (FMLA) and American with Disabilities (ADA).
- This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted Colette Erickson, 01/26/2017
 - Email address of the person who should be contacted with revisions: Colette.erickson@nds.edu

This portion will be completed by Mary Asheim.

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: 2/27/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University Policy Manual

SECTION 161 FITNESS FOR DUTY

SOURCE: NDSU President

1. Overview

NDSU is committed to providing a safe working environment and to protect the health and safety of students, faculty and staff, visitors and University property. This policy provides a mechanism for identifying and intervening when individuals who could pose a threat to the safety of others and property. Required drug and alcohol screening of employees in designated positions is addressed in NDSU policy 161.1. Post-offer/pre-hire screening of job candidates for positions related to dining services must comply with Fargo Public Health Codes.

2. Definitions

- a. Fitness for duty: physical and mental health status that facilitates the performance of essential job duties in an effective manner and protects the health and safety of oneself, others and property.
- b. Reliable report: self-disclosure or third-party opinion about an employee's possible lack of fitness for duty which is assessed as reasonable by the manager/supervisor considering such factors as the relationship of the reporter to the employee, the seriousness of the employee's condition, the possible motivation of the reporter and how the reporter learned the information.
- c. Working hours: beginning with an employee's starting time and ending with the employee's quitting time as well as any time an employee is on-call. All work activities are included whether they occur on or outside University properties.
- d. Medical evaluation: An examination performed by a university-designated health professional, including but not limited to a health history, physical and/or psychological examination and any medically indicated diagnostic studies. The cost is paid by the employee's department.
- e. Medical certification: a document from a medically appropriate, licensed provider attesting to an employee's fitness for duty following an extended medical absence. Allowable costs to obtain the certification are paid by Workers Compensation for work-related absences, and by the employee and the employee's health insurance for absences which are not work-related.

3. Employee responsibilities

- a. Reporting to work fit for duty.
- b. Notifying the manager/supervisor when not fit for duty.

Attachment 3

- c. Notifying the manager/supervisor when observing a co-worker who may not be fit for duty (in cases where the possibly impaired individual is the employee's manager, the employee should make the notification to the next higher level manager or the Director of Human Resources/Payroll).
- d. Cooperating with a manager/supervisor's directive and/or referral for a medical evaluation.

4. Manager/supervisor responsibilities

- a. Observing the attendance, performance and behavior of employees they supervise.
- b. Interviewing an employee who appears to the manager/supervisor (or third-party report) unfit for duty ~~and referring an employee for a medical evaluation when appropriate.~~
- c. Recording the reasons/observations that triggered ~~a~~ a fitness for duty ~~concern~~ ~~medical evaluation referral.~~
- d. Utilizing this policy in a fair and consistent manner, respecting the employee's privacy and the confidentiality of medical information.

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5. Procedures

- a. Employee plans to return from work after an extended medical absence.
 - 1. ~~Employee is required~~ ~~Manager/supervisor receives to submit~~ medical certification ~~from employee~~ prior to his/her return to work ~~indicating that employee is able to return to work~~, with suggested accommodations, if applicable.
 - 2. Manager/supervisor ~~with assistance from Human Resources~~ determines whether or not employee can perform essential functions of the job with or without accommodation. ~~accepting suggested accommodations or developing alternative accommodations~~
 - 3. Manager/supervisor provides and employee utilizes accommodations
- b. A triggering event occurs when a manager/supervisor observes or receives a reliable report of an employee's possible lack of fitness for duty. Observations may include, but are not limited to an employee's self-reports, manual dexterity, coordination, alertness, speech, vision acuity, concentration, response to criticism, interactions with co-workers and supervisors, suicidal or threatening statements, change in personal hygiene, presence of condition likely to lead to food borne disease transmission, memory and/or odor of alcohol or marijuana.
 - 1. Manager/supervisor interviews employee, when possible.
 - 2. Manager/supervisor assesses magnitude of safety risk. Managers/supervisors ~~should~~ ~~are encouraged to~~ contact Human Resources ~~and~~ Payroll for assistance.
 - A. No risk: keep notes of event
 - B. Minor risk:

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Attachment 3

~~I.~~ I. Encourage employee to use Employee Assistance Program (see NDSU policy 134) or seek medical treatment;

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~~B.~~ II. Document event

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C. Significant risk:

- I. Contact University Police if appropriate
- II. Place employee on paid leave of absence (sick leave or paid administrative leave, depending on situation)
- III. Arrange for employee's safe transportation home if situation warrants

IV. Refer employee to Employee Assistance Program

~~IV.~~ V. Work with Office of Human Resources and Payroll to initiate ~~a~~ ~~o~~ ~~r~~ ~~f~~ ~~o~~ ~~r~~ medical evaluation

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~~V.~~ VI. Implement discipline, if appropriate

~~D.~~ Severe risk:

- ~~I.~~ I. Contact University Police
- ~~II.~~ II. Place employee on paid leave of absence
- ~~III.~~ III. Arrange for employee's safe transportation home
- ~~IV.~~ IV. Implement appropriate discipline

6. Outcomes

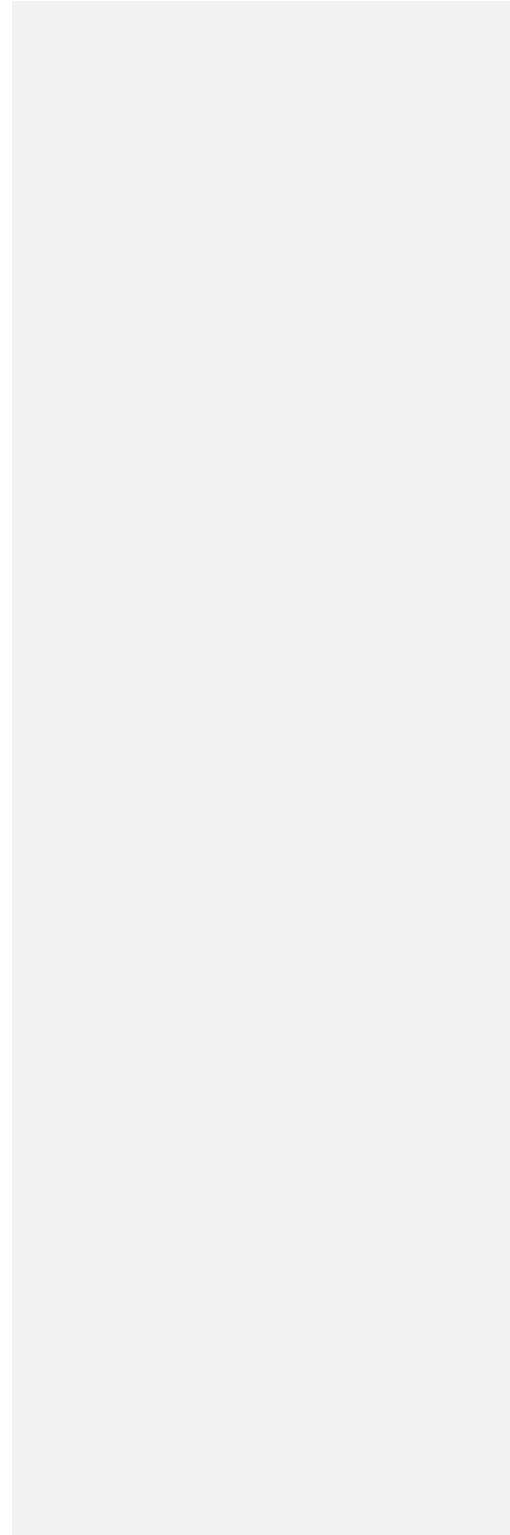
- a. Employees voluntarily seeking assistance for physical (including controlled substance, drug and alcohol abuse/addictions), mental, and/or emotional problems before their work performance or attendance is adversely affected will not have their employment status jeopardized for seeking assistance.
- b. Employees cooperating in a medical evaluation and in compliance with recommendations for medical, psychological and/or chemical dependence treatment may be returned to the job provided appropriate discipline, if warranted, has taken place.
- c. Employees posing a severe risk may be subject to discipline up to and including termination of employment.

HISTORY:

New	May 15, 1972
Amended	May 12, 1986
Amended	April 1992
Amended	April 2000
Amended	April 2001

Attachment 3

Amended March 2002
Amended October 2007



**University Curriculum Committee Addendum
For Faculty Senate Meeting on May 8, 2017**

General Education Recommendations
Revalidation of Math courses – MATH 104, MATH 144, MATH 146, MATH 165

Department Name Change
Architecture and Landscape Architecture changing to School of Architecture and Landscape Architecture

New Programs
Graduate Certificate in Cybersecurity
Minor in Tribal and Indigenous Peoples Studies

Program Changes
B.S., Accounting – change CSCI 116 to MIS 116 and 4 credit hours to 3 credit hours
B.S., Agricultural Systems Management – PSYC 111 dropped as a required course and added an option of CHEM 121L. Also added ABEN 189
B.S., Food Science – change required course ABEN 263 to CFS 430 and add AGRI 189
B.S./B.A., Agricultural Communication – adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
B.S./B.A., Journalism - adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
B.S./B.A., Management Communication - adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
B.S./B.A., Strategic Communication - adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
Minor in Agricultural Communication – changed and added more electives for greater flexibility
Minor in Journalism – changed elective courses to be consistent with changes in the major
Minor in Management Communication – added two more courses to electives to provide additional options for students
Minor in Strategic Communication – changed elective courses to be consistent with changes in the major and added additional options
B.S., Computer Science – adding courses to the electives list and adding CSCI 189
Ph.D., Developmental Science – changing some of the core courses with newly developed courses, also other changes among core requirements
B.S./B.A., Emergency Management – discontinue the selective admissions initiative, EMGT 410 as capstone course and CSCI 159 as quantitative reasoning
B.S./B.A., English Education Communication option – removal of EDUC 481 for Communication
B.S., Finance - change CSCI 116 to MIS 116 and 4 credit hours to 3 credit hours
M.S., Human Development and Family Science – accelerated B.S. to M.S. proposal
International Studies, second major – adding a transcriptable option of Latin America Area Studies
B.S., Management Information Systems - change CSCI 116 to MIS 116 and 4 credit hours to 3 credit hours
Ph.D., Molecular Pathogenesis – outcomes-based reform of the Microbiology discipline to improve student success and retention
B.S./B.A., Physics standard option – adding a course, reducing credits in one course and change to Senior Project course
B.S./B.A., Psychology – to rearrange the sections on curriculum to clarify the Capstone Experience for students
B.F.A., Theatre Arts Musical Theatre track – removal of two courses from requirements – MUSC 480 and THEA 468
B.S./B.A., Women and Gender Studies – streamlining the major and focusing on taking more WGS courses
Minor in Women and Gender Studies – streamlining the minor to make it more accessible to various majors

New Prefix
College of Business: GBC - Graduate Business Concentration

New Courses				
Subject	No.	Title	Crs.	Effective Term
ANSC	850	Linear Models in Animal Breeding	1	Fall 2017
ANSC	851	Genetic Prediction	1	Fall 2017
ANSC	852	Applied Variance Component Estimation	1	Fall 2017
ANSC	856	Prediction and Control of Inbreeding in Breeding Programs	1	Fall 2017
BIOL	483/683	Cellular Mechanisms of Diseases	3	Summer 2017
CHP	190	Critical Thinking and Academic Success	2	Fall 2017
CJ	665	Women and Minorities in Criminal Justice	3	Fall 2017
CSCI	429	Network Applications and Environments	3	Spring 2018
CSCI	485	Autonomous Command and Artificial Intelligence for Robots and Other Cyber-Physical Systems	3	Summer 2017
HNES	772	Prevention and Health Promotion in Athletic Training	2	Fall 2017
MUSC	706	Graduate Diction Survey II	2	Fall 2017
MUSC	735	Classroom Pedagogy	3	Fall 2017
MUSC	736	Music Theory Pedagogy	3	Fall 2017
MUSC	773	Orff Schulwerk Level III	3	Summer 2017
RNG	737	Agroecosystem Management and Conservation	3	Summer 2017
STAT	852	Longitudinal Data Analysis	3	Spring 2018
VETS	369	Companion Small Mammal and Exotic Animal Health and Husbandry	2	Fall 2017
VETS	369L	Companion Small Mammal and Exotic Animal Health and Husbandry Laboratory	1	Fall 2017

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
CHEM	725	Inorganic Chemistry II	3	CHEM	725	Advanced Survey of Inorganic Chemistry	4	Spring 2018
CHEM	732	Electrochemistry	4	CHEM	732	Advanced Analytical Chemistry	4	Spring 2018
CHEM	759	Intermediate Physical Chemistry	3	CHEM	759	Intermediate Physical Chemistry	4	Fall 2017
CNED	767	Advanced Group Counseling	3	CNED	867	Advanced Group Counseling	3	Summer 2017
CNED	770	Counselor Supervision	3	CNED	870	Counselor Supervision	3	Summer 2017
CNED	779	Quantitative and Survey Research	3	CNED	879	Quantitative and Survey Research	3	Summer 2017
PSYC	489	Honors Thesis	2	PSYC	489	Honors Thesis	1-6	Fall 2017

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
CHEM	725	Advanced Survey of Inorganic Chemistry	Desc: This course is an advanced survey course in Inorganic Chemistry. It emphasizes structure, electronic and magnetic properties, bonding, and symmetry of inorganic compounds, including organometallic and coordination complexes, and their reactivities. Topics also include main-group chemistry, solid-state materials, Lewis acid-base chemistry, oxidation-reduction reactions, and an introduction to physical methods used to probe the properties and track reactions of inorganic compounds. Prereq: none	Spring 2018
CHEM	732	Advanced Analytical Chemistry	Desc: Theoretical basis and application of several modern chemical analysis techniques. The focus will be the application of electrochemistry, chromatography, electrophoresis, and mass spectrometry in the chemical and biochemical analysis. Prereq: none	Spring 2018
CJ	406	Crime and Delinquency	Prereq: Admission to the Criminal Justice professional program. Prereq or Co-req: CJ/POLS 325	Fall 2017
ENGL	225	Introduction to Film	Prereq: none	Fall 2017
MUSC	443	Keyboard Literature	Desc: Survey of keyboard styles, instrumental development, and literature (excluding organ) from the early 14 th century through the 21 st century, with special emphasis on works from 1775-1925. May be repeated.	Fall 2017

Faculty Senate - FYI				
Subject	No.	Title	Crs.	Effective Term
MIS	796	Special Topics – Applied Data Analysis	3	Summer 2017

University Curriculum Committee

Report to Faculty Senate – May 8, 2017

Introduction:

The primary purpose of the University Curriculum Committee's (UCC) is to fulfill the role of shared governance in changes made to the university's curricular requirements. These include changes to curricula, courses, programs and general university requirements. UCC also serves as a major facilitator to coordinate curricular matters among the university's academic divisions/colleges.

Committee responsibilities are:

- a. Developing criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.
- b. Coordinating and recommending actions on proposals for curriculum and course changes that have been received from the colleges.
- c. Overseeing the general education program, including:
 - a. Validating/revalidating courses and experiences to ensure that they are designed in a way that they will meet the general education outcomes they have proposed.
 - b. Coordinating periodic assessment of students' attainment of intended student outcomes in general education.
- d. Requesting the formation of ad hoc Faculty Senate committees to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed, and
- e. Performing other appropriate duties as assigned by the Faculty Senate. (As approved by Faculty Senate: Article IV: Faculty Senate Standing Committees – [Section 14: University Curriculum Committee](#), May 2016)

Hours dedicated per committee member per week:

- 1) UCC holds weekly one hour meetings.
- 2) On average each committee member puts in 4 to 5 hours per week reviewing the materials necessary to make recommendations on the materials under review.

Accomplishments for Spring 2017

- 1) Informed/trained committee members in the proposal review process (new course proposal, general education course proposals, and student petitions). This process took approximately the first 4 to 5 weeks of the spring 2017 semester.
- 2) Established ad hoc committee to create a timeline for reviewing curricular proposals and policies.
 - a) Established timeline for new course proposals submissions (under review at May 8, 2017 Faculty Senate Meeting)
 - b) Established campus wide timeline for revalidating/renewing General Education Courses (still in process; committee is finalizing rubric for submitting new courses and renewing/revalidating existing GE Courses; timeline for submitting GE courses is under review at May 8, 2017 Faculty Senate meeting)
- 3) Collaborated with the Office of Teaching and Learning to develop rubric for GE course proposals.
- 4) Implemented streamline curriculum proposal submission and approval process
 - a) Identified ad hoc committees in reviewing student general education proposals.
 - b) Identified ad hoc committees and/or committee members in reviewing new general education course proposals.
- 5) UCC has reviewed and made recommendations on policies and procedures (examples include: attendance).
- 6) The Office of Registration and Records has worked closely with UCC to implement faculty approved curricular, policy, and procedure changes in a timely and efficient manner.

ERIN H. GILLAM

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 NORTH DAKOTA STATE UNIVERSITY
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 OFFICE: (701) 231-9401
 EMAIL: ERIN.GILLAM@NDSU.EDU

PROFESSIONAL EXPERIENCE

2016 – 2017 Visiting Researcher, Max Planck Institute for Ornithology, Seewiesen, Germany
 2015 - present Associate Professor, Department of Biological Sciences, NDSU
 2009 - 2015 Assistant Professor, Department of Biological Sciences, NDSU
 2007-2008 Postdoctoral fellow, Department of Biology, University of Regina

EDUCATION

Ph.D. University of Tennessee, Knoxville, TN., Dept. of Ecology and Evolutionary Biology, May 2007. Dissertation Title: “Behavioral and Ecological Variation in the Echolocation of Brazilian Free-Tailed Bats, *Tadarida brasiliensis*”
 B.Sc. University of Maryland, College Park, MD., Biology Honors, May 2001

TEACHING EXPERIENCE

Fall 2014, Sum 15-16 Instructor, Animal Behavior (Online), (30 students) NDSU
 Fall 2013, 2015 Instructor, Advanced Animal Behavior (20 grad students), NDSU
 Fall 2010-2012 Instructor, Animal Behavior, (125 students) NDSU
 Spring 2009-12, 14-16 Instructor, Wildlife Ecology and Management (40 students), NDSU
 Spring 2008 Instructor, Vertebrate Biology (10 students), U of Regina
 Fall 2007, 2008 Instructor, Introductory Biology for Majors (24 students), U of Regina

MENTORING

- Four graduate students that have completed their degrees (3 Ph.D., 1 M.Sc.)
- Three current graduate students (1 Ph.D., 2 M.Sc.)
- 20+ undergraduate assistants have worked in my laboratory since 2009
- Graduate committee member for students in Bio Sciences, NRM, ECS, and Entomology

PUBLICATIONS (FIVE RECENT OF 31 TOTAL PEER-REVIEWED PUBS AND TWO BOOK CHAPTERS)

JJ Nelson and **EH Gillam**. Selection of foraging habitat by female little brown bats (*Myotis lucifugus*). gyw181. DOI: 10.1093/jmammal/gyw181
 PR Barnhart and **EH Gillam**. Understanding peripheral bat populations using maximum-entropy suitability modeling. PLoS ONE. 11(12): e0152508
EH Gillam and BK Montero. 2015. Influence of call structure on the jamming avoidance response (JAR) of echolocating bats. Journal of Mammalogy. DOI: 10.1093/jmammal/gyv147
 BK Montero and **EH Gillam**. 2015. Behavioral strategies associated with using an ephemeral roosting resource in Spix’s disc-winged bat. Animal Behaviour. 108: 81-89

G Chaverri and **EH Gillam**. 2015. Repeatability in the contact calling system of Spix's disc-winged bat (*Thyroptera tricolor*). Royal Society Open Science 2(1): 140197

GRANTS, CONTRACTS AND AWARDS (*Co-PIs and project titles not provided for brevity*)

2017	National Park Service. \$24,530.
2016	North Dakota Department of Agriculture. \$131,040.
2014	USDA NIFA Tribal Colleges Research Grants Program. \$200,000.
2012	NDSU Advance FORWARD Lab Renovation Grant. \$60,000.
2012	North Dakota Game and Fish Department State Wildlife Grant \$134,866.
2012	USDA NIFA Tribal Colleges Research Grants Program. \$59,916.
2011	NDSU Advance FORWARD Course Release Grant. \$6,500.
2010	NDSU Advance FORWARD Leap Grant. \$30,000.
2010-2012	USDA-APHIS-WS. \$69,871.
2009	North Dakota Game and Fish Department State Wildlife Grant. \$109,036.
2009	NDSU Advance FORWARD Travel Grant. \$1,300.
2009	Environmental and Conservation Sciences Seed Grant. \$7,000.

RECENT PROFESSIONAL SERVICE

2016-2017	Invited seminars at Max Planck Institute for Ornithology and Tel-Aviv University
2014 – present	Secretary and Member of the Board of Directors of the North American Society for Bat Research (NASBR)
2014 – present	Chair of the North American Society for Bat Research (NASBR) Spallanzani Award Committee
2013-2016	Member of the North Dakota State University Faculty Senate

PUBLIC OUTREACH

2014 – 2016	Serve as the social media coordinator for the Department of Biological Sciences at NDSU
2015	Gave public bat talks at two state parks in North Dakota.
2012	Gave a Science Café Presentation on April 10, 2012 entitled “Beauty and the Bat: Tales from Life’s Only Flying Mammal”
2012	Participated in the Expanding Your Horizons program by offering a class about the life of a field ecologist to 6 th -8 th grade girls.
2011-2012	Participated in the Faculty in Residence Education program
2009-2014	Assisted with planning the annual Darwin Day celebration at NDSU
2009	Bat talks to the general public at Turtle River State Park and Theodore Roosevelt National Park
1999-2015	30+ talks to elementary school students about bat biology and conservation, in the context of how science works

FLORIN D. SALAJAN

North Dakota State University • School of Education
 1400 Centennial Boulevard, FLC 210A • Fargo, ND 58105
 Phone: 701.231.5674 • E-mail: florin.salajan@ndsu.edu

EDUCATION

Teachers College, Columbia University New York, NY
Ed.D.: International Educational Development 2007
Dissertation: “Problems and Possibilities of Integrating ICT in European Union’s Higher Education: Perceptions of People Inside and Outside the European Commission’s eLearning Programmes”
Committee: Robert McClintock, Frank Moretti, Gita Steiner-Khamsi and Hope Leichtner

Teachers College, Columbia University New York, NY
Ed.M.: International Educational Development 2002
Thesis: “Challenges in the Future of Educational Technology in the European Union”
Adviser: Gita Steiner-Khamsi

Georgia College & State University Milledgeville, GA
M.Ed.: Educational Technology 2000

Georgia College & State University Milledgeville, GA
B.Sc.: Health and Physical Education (Magna Cum Laude) 1998

National University of Physical Education and Sports Bucharest, Romania
B.A.: Physical Education and Sports (Summa Cum Laude) 1994

TEACHING AND PROFESSIONAL EXPERIENCE

North Dakota State University Fargo, ND
Associate Professor August 2016-Present
Assistant Professor August 2010-August 2016

University of Toronto - Ontario Institute for Studies in Education Toronto, ON
Visiting Scholar November 2009-July 2010

University of Toronto - Faculty of Dentistry Toronto, ON
Academic Technologist/Researcher/Project Manager May 2006-April 2010

University of Toronto at Mississauga Library Mississauga, ON
Research & Reference Technician June 2004-May 2006

Columbia University - Council for European Studies New York, NY
Web Designer Sept 2002-Jul 2005

Columbia University - Center for New Media Teaching and Learning New York, NY
Graduate Assistant Sept 2000-Dec 2003

NCREST - Teachers College, Columbia University New York, NY
Graduate Assistant/Technology Staff Developer Jan 2003-Aug 2003

Baldwin County Board of Education Milledgeville, GA
Technology Consultant May-Sept 2000, 2001, 2002

Georgia College & State University - International Education Center Milledgeville, GA
Graduate Assistant Mar 1998-May 2000

Sports Curriculum High School Satu Mare, Romania
Teacher/Track and Field Coach July 1994-Sept 1995

REFEREED PUBLICATIONS

- Salajan, F.D.**, Duffield, S.K., Glava, A.E., & Glava, C.C. (2016). A comparative study of two pre-service teacher preparation programmes in the USA and Romania. *Compare*. doi:10.1080/03057925.2016.124695
- Salajan, F.D.**, & Roumell, E.A. (2016). Two decades of e-learning policy evolution at European Union level: Motivations, institutions and instruments. *European Journal of Education*, 51(3), 391-407. doi:10.1111/ejed.12144
- Salajan, F.D.**, Nyachwaya, J.M., Hoffman, J.G., & Hill, B.D. (2016). Improving teacher candidates' lesson planning competencies through peer review in a wiki environment. *The Teacher Educator*, 51(3), 185-210. doi:10.1080/08878730.2016.1153179
- Roumell, E.A., & **Salajan, F.D.** (2016). The evolution of U.S. e-learning policy: A content analysis of the national educational technology plans. *Educational Policy*, 30(2), 365-397. doi:10.1177/0895904814550070
- Salajan, F.D.**, Welch, A.G., Ray, C.M., & Peterson, C.M. (2015). The role of peer influence and perceived quality of teaching in faculty acceptance of web-based learning management systems. *International Journal on E-Learning*, 14(4), 487-524. <http://www.editlib.org/p/48018/>
- Salajan, F.D.**, Mount, G.J., & Prakki, A. (2015). An assessment of students' perceptions of learning benefits stemming from the design and instructional use of a Web3D atlas. *Electronic Journal of E-Learning*, 13(2), 120-137. <http://www.ejel.org/issue/download.html?idArticle=400>
- Roumell Erichsen, E.A., & **Salajan, F.D.** (2014). A comparative analysis of e-learning policy formulation in the European Union and the United States: Discursive convergence and divergence. *Comparative Education Review*, 58(1), 135-165. doi:10.1086/674095
- Salajan, F.D.**, & Chiper, S. (2013). Romanian higher education as a facilitator of Romania's continued formal and informal Europeanization. *European Journal of Higher Education*, 3(4), 384-401. doi:10.1080/21568235.2013.850922
- Salajan, F.D.** (2013). Policy formulation and networks of practice in European eLearning: The programmatic emergence of a European E-Learning Area. *European Journal of Education*, 48(2), 292-310. doi:10.1111/ejed.12031
- Salajan, F.D.**, & Chiper, S. (2012). Value and benefits of European student mobility for Romanian students: Experiences and perspectives of participants in the ERASMUS Programme. *European Journal of Higher Education*, 2(4), 403-422. doi:10.1080/21568235.2012.737999
- Salajan, F.D.**, & Mount, G.J. (2012). Leveraging the power of web 2.0 tools: A wiki platform as a multimedia teaching and learning environment in dental education. *Journal of Dental Education*, 76(4), 427-436. <http://www.jdentaled.org/content/76/4/427>
- Salajan, F.D.**, Schönwetter, D., & Cleghorn, B. (2010). Student and faculty inter-generational digital divide: Fact or fiction? *Computers & Education*, 55(3), 1393-1403. doi:10.1016/j.compedu.2010.06.017
- Laing Gibbard, L., & **Salajan, F.D.** (2009). A novel interactive online module in a traditional curriculum through a blended learning approach. *Electronic Journal of E-Learning*, 7(3), 301-308. <http://www.ejel.org/issue/download.html?idArticle=109>
- Salajan, F.D.**, Perschbacher, S., Cash, M., Talwar, R., El-Badrawy, W., & Mount, G. (2009). Learning with web-based interactive objects: An investigation into student perceptions of effectiveness. *Computers & Education*, 53(3), 632-643. doi:10.1016/j.compedu.2009.04.006
- Salajan, F.D.** (2008). The rise of the European information society amongst European academics. *European Journal of Education*, 43(4), 457-475. doi:10.1111/j.1465-3435.2008.00369.x

Salajan, F.D., & Mount, G. (2008). University of Toronto's dental school shows "new teeth:" Moving towards online instruction. *Journal of Dental Education*, 72(5), 534-544. <http://www.jdentaled.org/content/72/5/532>

Salajan, F.D. (2007). The European eLearning Programme(s): Between rhetoric and reality. *European Educational Research Journal*, 6(4), 364-381. doi:10.2304/eej.2007.6.4.364

Salajan, F.D. (2007). The European Union in a changing world: Globalizer or globalized? *The Romanian Economic Journal*, 10(25), 160-176. <http://www.rejournal.eu/article/european-union-changing-world-globalizer-or-globalized>

SELECTED PROFESSIONAL ACTIVITIES

Expert Evaluator for Lifelong Learning Programme and Erasmus+ Programme, European Commission, Education, Audiovisual and Culture Executive Agency, Brussels, Belgium, 2015-present

Reviewer, *Comparative Education Review; European Journal of Education; The Teacher Educator; Computers & Education; Journal of Computer Assisted Learning; Canadian Journal of Education; Journal of Online Teaching and Learning; Journal of Dental Education* (computer-assisted learning topics); *Electronic Journal of E-Learning; International Journal of Education and Learning; Journal of Public Administration and Policy Research*

Reviewer, *International Conference on E-Learning; European Conference on E-Learning; ED-MEDIA - World Conference on Educational Multimedia; Hypermedia & Telecommunications; E-Learn - World Conference on E-Learning in Corporate, Government, Healthcare & Higher Education*

Editor, *Proceedings of the 4th International Conference on E-Learning*, University of Toronto, Canada, July 16-17, 2009

Guest Editor, *Electronic Journal of E-Learning*, 2009-2010.

SELECTED UNIVERSITY SERVICE

NDSU Faculty Senate, Member, 2016-present

Institutional Review Board, Member, 2015-present

Grade Appeals Board, Member, 2015-2016

School of Education Promotion and Tenure Committee, Member, 2016-present

PROFESSIONAL MEMBERSHIPS

Comparative and International Education Society, Member, 2015-present

EDUCAUSE, Member, 2007-present

EDEN, European Distance and E-Learning Network, Member, 2006-present.

International Association for Technology, Education and Development, Member, 2006-present.

Kappa Delta Pi International Honor Society in Education, 1997-present.

SR-11-17

A Resolution Against the Use of External Online Assessment Programs

WHEREAS, the rising cost of tuition and textbooks puts a heavy financial burden on students and the additional cost of access codes for external assessment programs adds to this burden, and

WHEREAS, in a survey conducted by Student Government, 62% of students were required to purchase an access code for at least one class this semester, and

WHEREAS, coursework done in many classes using external online assessment programs contributes little to the final grade in a class, and

WHEREAS, in the aforementioned survey, 86% of students felt Blackboard was just as good or better than external online assessment programs, and

WHEREAS, students are paying extra costs for online programs that do not enhance their educational experience, so be it

RESOLVED, NDSU Student Senate opposes the requirement of access codes in courses that could use Blackboard as a means of assessment.

Respectfully Submitted,

Calla Harper

Senator | Residence Halls

Brendan Curran

Senator | Vice Chair

Briana Heskin

Senator | Business

Resolution to Support Gender Diversity and Inclusion

Whereas, North Dakota State University is an equal opportunity institution that supports the protection of diverse populations as stated in the NDSU Equal Opportunity and Non-discrimination Policy and is committed to improving the climate for diverse groups, and

Whereas, NDSU added “gender identity and expression” to our nondiscrimination policy, Section 100 of the NDSU Policy manual, in an effort to be a more fully inclusive campus, and

Whereas, the availability of available restrooms is necessary for a productive learning environment for all people, and

Whereas, NDSU has the opportunity to demonstrate our commitment to improving the climate for gender diverse groups

Therefore, be it resolved that the NDSU Faculty Senate supports the full inclusion of transgender and gender diverse students in all aspects of the NDSU community,

Be it further resolved, that the NDSU Faculty Senate supports transgender and gender diverse students’ right to use the restroom and related facilities that reflect their gender identities,

Be it further resolved, that the NDSU Faculty Senate opposes the Justice and Education departments recent decision to reverse guidance that required Title IX to protect the right of transgender and gender diverse students to use restrooms and locker rooms that match their gender identities.

Katie,

The Faculty Senate Committee to Review Policy 352 has formulated draft revisions to the PTE evaluation criteria (Sec. 3.1) for promotion from associate to full professor (please see appended). The general intent is to provide more flexibility and to encourage applications for promotion to full. As you know, the current policy states that "candidates for promotion to the rank of full professor shall be evaluated by the criteria in effect at the time of application." One proposed revision would address the "moving target" issue by allowing candidates to choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years. A second proposed revision would allow candidates who apply more than eight years after the previous promotion to choose to be evaluated based on work completed in the most recent eight years, rather than on their entire post-promotion record. This change might motivate faculty who have been at the associate rank for more than eight years, and whose research productivity may have temporarily declined (e.g., due to change of research focus, heavy teaching/service load, child birth/adoption, illness/disability), to apply for promotion, especially in units/colleges that quantify the expected average publication rate.

Our committee would like to request feedback from the Faculty Senate on these proposed revisions.

Thanks for your consideration.

Alan Denton

=====

Proposed Revision to Policy 352 (changes highlighted):

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

3.3 For probationary faculty, and for non-tenure-line faculty at the assistant rank, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit that were provided to the candidate at the time of the candidate's appointment to the position. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured and non-tenure-line candidates for promotion to the rank of full professor **may choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion. Thereafter, candidates** shall be evaluated by the criteria in effect at the time of application. **Candidates applying for promotion to the rank of full professor more than eight years after the previous promotion may choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.**

**University Curriculum Committee Addendum
For Faculty Senate Meeting on May 8, 2017**

General Education Recommendations
Revalidation of Math courses – MATH 104, MATH 144, MATH 146, MATH 165

Department Name Change
Architecture and Landscape Architecture changing to School of Architecture and Landscape Architecture

New Programs
Graduate Certificate in Cybersecurity
Minor in Tribal and Indigenous Peoples Studies

Program Changes
B.S., Accounting – change CSCI 116 to MIS 116 and 4 credit hours to 3 credit hours
B.S., Agricultural Systems Management – PSYC 111 dropped as a required course and added an option of CHEM 121L. Also added ABEN 189
B.S., Food Science – change required course ABEN 263 to CFS 430 and add AGRI 189
B.S./B.A., Agricultural Communication – adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
B.S./B.A., Journalism - adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
B.S./B.A., Management Communication - adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
B.S./B.A., Strategic Communication - adjusting pre-Comm coursework and selective admission criteria from a minimum grade of B to a 3.0 GPA to reduce course repeats
Minor in Agricultural Communication – changed and added more electives for greater flexibility
Minor in Journalism – changed elective courses to be consistent with changes in the major
Minor in Management Communication – added two more courses to electives to provide additional options for students
Minor in Strategic Communication – changed elective courses to be consistent with changes in the major and added additional options
B.S., Computer Science – adding courses to the electives list and adding CSCI 189
Ph.D., Developmental Science – changing some of the core courses with newly developed courses, also other changes among core requirements
B.S./B.A., Emergency Management – discontinue the selective admissions initiative, EMGT 410 as capstone course and CSCI 159 as quantitative reasoning
B.S./B.A., English Education Communication option – removal of EDUC 481 for Communication
B.S., Finance - change CSCI 116 to MIS 116 and 4 credit hours to 3 credit hours
M.S., Human Development and Family Science – accelerated B.S. to M.S. proposal
International Studies, second major – adding a transcriptable option of Latin America Area Studies
B.S., Management Information Systems - change CSCI 116 to MIS 116 and 4 credit hours to 3 credit hours
Ph.D., Molecular Pathogenesis – outcomes-based reform of the Microbiology discipline to improve student success and retention
B.S./B.A., Physics standard option – adding a course, reducing credits in one course and change to Senior Project course
B.S./B.A., Psychology – to rearrange the sections on curriculum to clarify the Capstone Experience for students
B.F.A., Theatre Arts Musical Theatre track – removal of two courses from requirements – MUSC 480 and THEA 468
B.S./B.A., Women and Gender Studies – streamlining the major and focusing on taking more WGS courses
Minor in Women and Gender Studies – streamlining the minor to make it more accessible to various majors

New Courses				
Subject	No.	Title	Crs.	Effective Term
ANSC	850	Linear Models in Animal Breeding	1	Fall 2017
ANSC	851	Genetic Prediction	1	Fall 2017
ANSC	852	Applied Variance Component Estimation	1	Fall 2017
ANSC	856	Prediction and Control of Inbreeding in Breeding Programs	1	Fall 2017
BIOL	483/683	Cellular Mechanisms of Diseases	3	Summer 2017
CHP	190	Critical Thinking and Academic Success	2	Fall 2017
CJ	665	Women and Minorities in Criminal Justice	3	Fall 2017
CSCI	429	Network Applications and Environments	3	Spring 2018
CSCI	485	Autonomous Command and Artificial Intelligence for Robots and Other Cyber-Physical Systems	3	Summer 2017
HNES	772	Prevention and Health Promotion in Athletic Training	2	Fall 2017
MUSC	706	Graduate Diction Survey II	2	Fall 2017
MUSC	735	Classroom Pedagogy	3	Fall 2017
MUSC	736	Music Theory Pedagogy	3	Fall 2017
MUSC	773	Orff Schulwerk Level III	3	Summer 2017
RNG	737	Agroecosystem Management and Conservation	3	Summer 2017
STAT	852	Longitudinal Data Analysis	3	Spring 2018
VETS	369	Companion Small Mammal and Exotic Animal Health and Husbandry	2	Fall 2017
VETS	369L	Companion Small Mammal and Exotic Animal Health and Husbandry Laboratory	1	Fall 2017

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
CHEM	725	Inorganic Chemistry II	3	CHEM	725	Advanced Survey of Inorganic Chemistry	4	Spring 2018
CHEM	732	Electrochemistry	4	CHEM	732	Advanced Analytical Chemistry	4	Spring 2018
CHEM	759	Intermediate Physical Chemistry	3	CHEM	759	Intermediate Physical Chemistry	4	Fall 2017
CNED	767	Advanced Group Counseling	3	CNED	867	Advanced Group Counseling	3	Summer 2017
CNED	770	Counselor Supervision	3	CNED	870	Counselor Supervision	3	Summer 2017
CNED	779	Quantitative and Survey Research	3	CNED	879	Quantitative and Survey Research	3	Summer 2017
PSYC	489	Honors Thesis	2	PSYC	489	Honors Thesis	1-6	Fall 2017

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
CHEM	725	Advanced Survey of Inorganic Chemistry	Desc: This course is an advanced survey course in Inorganic Chemistry. It emphasizes structure, electronic and magnetic properties, bonding, and symmetry of inorganic compounds, including organometallic and coordination complexes, and their reactivities. Topics also include main-group chemistry, solid-state materials, Lewis acid-base chemistry, oxidation-reduction reactions, and an introduction to physical methods used to probe the properties and track reactions of inorganic compounds. Prereq: none	Spring 2018
CHEM	732	Advanced Analytical Chemistry	Desc: Theoretical basis and application of several modern chemical analysis techniques. The focus will be the application of electrochemistry, chromatography, electrophoresis, and mass spectrometry in the chemical and biochemical analysis. Prereq: none	Spring 2018
CJ	406	Crime and Delinquency	Prereq: Admission to the Criminal Justice professional program. Prereq or Co-req: CJ/POLS 325	Fall 2017
ENGL	225	Introduction to Film	Prereq: none	Fall 2017
MUSC	443	Keyboard Literature	Desc: Survey of keyboard styles, instrumental development, and literature (excluding organ) from the early 14 th century through the 21 st century, with special emphasis on works from 1775-1925. May be repeated.	Fall 2017

Faculty Senate - FYI				
Subject	No.	Title	Crs.	Effective Term
MIS	796	Special Topics – Applied Data Analysis	3	Summer 2017

NDSU Faculty Senate Agenda
October 9, 2017
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting [minutes from Sept 11, 2017](#)
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VI. Consent agenda
 - a. University Curriculum Committee Report (**Attachment 1**)
 - b. The following policies/changes are federally mandated and/or contain housekeeping changes:
 - 129 Salary Administration Policy (**Attachment 2**)
 - 142 Retirement Plans (**Attachment 3**)
 - 183 Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff (**Attachment 4**)
 - 601 Rights and Responsibilities of Community: A Code of Student Conduct (**Attachment 5**)

All policy documents are also available at:
https://www.ndsu.edu/policy/senate_coordinating_council/
- VII. Committee and other reports
 - a. Council of College Faculties – Birgit Pruess
 - b. University Curriculum – Susan Ray-Degges
 - c. University Assessment – Charlene Wolf-Hall
 - d. Program Review – Thomas DeSutter
 - e. Academic Integrity
 - f. Grade Appeals Board – Charlene Wolf-Hall
 - g. University Athletics

VIII. Unfinished Business

- a. No unfinished business for this meeting

IX. New Business

- a. The following policies are presented for input and/or approval:

- 130 Annual Leave (**Attachment 6**)
- 143 Sick Leave (**Attachment 7**)
- 149 Leave Without Pay (**Attachment 8**)
- 156 Discrimination, Harassment, and Retaliation Complaint Procedures (**Attachment 9**)
- 333 Class Attendance Policy and Procedure (**Attachment 10**)

All policy documents are also available at:

https://www.ndsu.edu/policy/senate_coordinating_council/

- b. Planning and prioritizing for upcoming year

- i. 152.2 Membership in Professional and Service Organizations (**Attachment 11**)
- ii. Other

X. Adjourn

University Curriculum Committee Report
For Faculty Senate Meeting on October 9, 2017

Course and Program Curricular Approval Recommendations
Major change process/procedure

Program Changes
B.S., Accounting – removal of BUSN 301 as a required course
B.S., Finance – addition of FIN 480 as an elective for the major
BS/BA, History – addition of electives for the major
B.S., Management Information Systems – removal of BUSN 301 as a required course
B.Mus., Piano Performance – students will now take 6 credits of Keyboard Literature instead of 3 previously

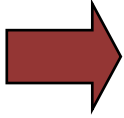
New Courses				
Subject	No.	Title	Crs.	Effective Term
CJ	410	Police and Society	3	Spring 2018
PHRM	500	Top Drugs II	1	Spring 2018
THEA	220	Stagecraft Lab	1	Spring 2018
THEA	221	Costume Craft Lab	1	Spring 2018
THEA	222	Scenic Design Lab	1	Spring 2018
THEA	223	Costume Design Lab	1	Spring 2018
THEA	224	Lighting and Sound Design Lab	1	Spring 2018

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite Change	Effective Term
COMM	114	Human Communication	Prereq: a grade of B or better is required for Pre-Communication majors. Repeatable only once.	Spring 2018

Program Inactivations/Terminations
Animal Health Management certificate
Equine Science certificate
Therapeutic Riding certificate

Policy Change Cover Sheet

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



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

SECTION: **129 SALARY ADMINISTRATION POLICY**

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

- Is this a federal or state mandate? Yes No

- Describe change:

Currently, "faculty promotions" are included under Annual Adjustments and require legislative action before being awarded (see 129.2.1.1). Following legal counsel advice Policy 129 is revised to include promotional increases for both faculty and non-faculty in the category of Other Adjustments. The revision will allow NDSU to "award promotional increases to faculty members that have earned promotion. In my opinion, this will also more accurately reflect the intent of promotional increases which is to award faculty members upon attaining a new rank – the current policy language incorrectly aligns faculty promotional increases with general salary increases, which does not sufficiently acknowledge the process of promotion within the faculty ranks." NDSU normally provides salary increases to faculty members who have been promoted from Assistant Professor to Associate Professor and from Associate Professor to Full Professor. The process for achieving this promotion is arduous and involves a departmental committee, a collegiate committee, the department chair, the Dean, and the Provost. The President approves all promotions upon Provost's recommendation. In essence, each faculty member is moving into a new classification and is being promoted to a new rank.

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

- Office/Department/Name and the date submitted: Canan Bilen-Green / Office of the Provost / 9/5/17
- Email address of the person who should be contacted with revisions: canan.bilen.green@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 9/14/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 129

SALARY ADMINISTRATION POLICY

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

1. Philosophy and Objectives

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

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

second, recognize different performance levels among employees;

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

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

2. Methods and Guidelines

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

2.1 Salary adjustments are divided into two main categories:

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

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

- a) President's Office provides any relevant legislative or Board directives regarding salary adjustments after consultation with the NDUS office staff and the Chancellor's Cabinet.
- b) The President and Vice Presidents determine priority needs of the institution that require use of salary dollars (~~faculty promotions~~, new positions and/or

reallocations) based on information from sources such as deans, directors, department chairs, the Office of Human Resources/Payroll, the Office of 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 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 (~~nonfaculty~~), market, internal equity and responsibility adjustments including interim appointments and significant administrative assignments (see Guidelines for Other Salary Adjustments portion of this policy.).

3. Process for Impartial Review of Salary Adjustment Decisions

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

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

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

3.2 The second is available to **any employee** when his/her salary decision is alleged to have been made on the basis of an employee's 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

Attachment 3

Policy 142 Version 1 08/25/17

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name 142 Retirement Plans

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes No
 - Describe change: This is a clean-up from the change made in Policy 101 Personnel Definitions in 2.1.2 Part-time Employee due to the Affordable Care Act. Also, there is a name change to the retirement provider from TIAA CREF to TIAA.
2. This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted HR and Payroll/Colette Erickson
 - Email address of the person who should be contacted with revisions Colette.erickson@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 9/14/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University Policy Manual

SECTION 142 RETIREMENT PLANS

SOURCE: NDSU PRESIDENT
NDUS Human Resource Policy Manual, Section 10
ND Century Code 54-52.1-03.2

1. North Dakota law requires regular employees who are 18 years of age or older and work 20 hours or more per week for 5 months or more a year to participate in a retirement plan.

~~1.1~~ ~~1.1~~ Faculty are generally considered ~~half time~~ *to be a regular employee* and covered under ~~TIAA/CREFTIAA if she/he teaches 6 semester credit hours or more or are otherwise considered half time by their respective college for at least two consecutive semesters.~~ *TIAA/CREFTIAA if she/he teaches 7.5 or more credits for two or more consecutive semesters.*

~~3.2~~ All non-professional, staff employees (technical/para-professional, office, crafts/trades, and service bands) will participate in the North Dakota Public Employees Retirement System (NDPERS).

- 2.1 The cost of this retirement plan, which amounts to 15.26% percent of gross salary, is funded as indicated below:
NDSU = 12.26%
Employee = 3%

~~4.3~~ All faculty, other academic staff, administrators, and professional staff employees will participate in a Teachers Insurance and Annuity Association - College Retirement Equities Fund (~~TIAA/CREFTIAA~~) retirement plan which has been approved by the State Board of Higher Education. (A copy of the most recent plan document may be obtained from the Office of Human Resources/Payroll.)

- 3.1 In lieu of participation in the ~~TIAA/CREFTIAA~~ retirement plan, eligible employees having accrued retirement benefits under the North Dakota Public Employees' Retirement System (PERS) may elect to continue participation in PERS. A PERS participant who later qualifies for participation in ~~TIAA/CREFTIAA~~ may elect to become a participant by making such election within sixty days of being transferred or placed in a different band. In absence of such election, the right of participation is irrevocably waived. Eligible employees who have accrued retirement benefits under the ~~TIAA/CREFTIAA~~ plan, and who later qualify for participation in PERS, may within sixty days of the transfer or placement in a different band elect to continue participation in ~~TIAA/CREFTIAA~~ in lieu of participation in the PERS retirement plan. In absence of such election, the right of participation is irrevocably waived.
- 3.2 Teaching and research faculty with rank of assistant professor or instructor, research personnel and lecturers with equivalent rank, and professional staff (3000 band) participate in the ~~TIAA/CREFTIAA~~ plan as of the date of first employment at an employee-employer contribution rate of 11 percent (3.5 percent employee contribution, 7.5 percent employer contribution); after two years of service the rate shall be 17 percent (4.5 percent employee contribution, 12.5 percent employer contribution); after ten years of service the rate shall be

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18 percent (5 percent employee contribution, 13 percent employer contribution).

- 3.3 Teaching and research faculty with rank of professor or associate professor, research personnel with equivalent rank, and executive and administrative staff (1000 band) participate in the [TIAA/CREFTIAA](#) plan as of the date of first employment at an employee-employer contribution rate of 17 percent of contract salary (4.5 percent employee contribution, 12.5 percent employer contribution). After 10 years of service, the total contribution rate shall be 18 percent (5 percent employee contribution, 13 percent employer contribution).
- 3.4 Employees shall be given credit for years of service during which they accrued retirement benefits under NDPERS, TFFR, and/or [TIAA/CREFTIAA](#). Credit for [TIAA/CREFTIAA](#) years of service shall also include credit earned at other institutions, including out-of-state institutions, provided employee has a current [TIAA/CREFTIAA](#) contract (i.e. was not repurchased).
- 3.5 Each employee must designate the percentage basis for allocating their premiums between [TIAA](#), which provides a fixed amount of future retirement income, and the [CREF](#) accounts, which provide variable annuities. This percentage election may be changed at any time by calling 1-800-842-2776 or by making election changes in the individual's online [TIAA/CREFTIAA](#) account.
- 3.6 All contributions (both employer and employee) will be made on a tax-sheltered basis. When tax-sheltering, the employee does not pay income tax on the contributions until the funds are withdrawn from the retirement program.
- 3.7 Each employee may also tax-shelter additional salary without matching funds from the University to a Tax Sheltered Annuity by payroll reduction.
- 3.8 The employee-employer total contribution is forwarded to [TIAA/CREFTIAA](#). The employee's contribution is from semi-monthly compensation based on a regularly executed contract.
- 3.9 Early retirement under the [TIAA/CREFTIAA](#) retirement plan is permitted when employment ceases prior to age 59 1/2 with an approved Early Retirement Agreement.

HISTORY:	
New	July 1990
Amended	April 1992
Amended	June 1994
Amended	August 1997
Amended	July 1999
Amended	November 2005
Housekeeping	December 2010
Housekeeping	January 31, 2011
Housekeeping	April 23, 2012
Housekeeping	April 4, 2013
Housekeeping	January 17, 2014

Attachment 4

Policy 183 Version 1 04/11/2017

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name 183 NonRenewal and Dismissal of Nonbanded, Nonacademic Staff

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes xxxNo
 - Describe change: NDUS Policy 608.2 has been changed, so NDSU's 183 policy is being revised and submitted to concur.
2. This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted: Human Resources and Payroll/Colette Erickson/04/11/2017
 - Email address of the person who should be contacted with revisions colette.erickson@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University Policy Manual

SECTION 183 NONRENEWAL AND DISMISSAL OF NONBANDED, NONACADEMIC STAFF

SOURCE: SBHE Policy Manual, Section 608.2

1. Employees excluded from the broadbanding system who are not members of the academic staff, and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff.

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This policy does not apply to:

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a. Chancellor and institution presidents.

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b. Coaches.

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c. Faculty – Employees with academic appointments are governed by SBHE Policy Sections 605.1, 605.2, 605.3, and 605.4.

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d. Student residence hall assistants, work-study students and other students employed on a part-time basis for a limited term. The terms and conditions of employment for student residence hall assistants shall be stated in a written contract.

2. An employee may be dismissed or an institution may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:

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a) a. At least three months, if written notice is given during the first year of service;

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

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As used in this section 2, "service" means employment at the same institution or agency.

3. Employees excluded from the broadbanding system who are not members of the academic staff at an institution. An employee may be dismissed based upon financial exigency as determined by the Board, loss of appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses, in which cases the notice requirements of the preceding section shall not apply. If a dismissal is implemented pursuant to this subsection 3, no less than 90 days notice shall be given the employee.

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4. An employee may be dismissed for just cause. Just cause means just cause for dismissal of staff employees as defined in the North Dakota University System Human Resource Policy Manual. (See NDSU 220.2) Notice of intent to dismiss for cause, stating the reasons for the proposed action, shall be given by a department head or other designated official unless the employee is a institution officer who reports directly to the institution's chief executive, in which case the chief executive shall give notice, or a university system employee who reports to the Chancellor, in which case the Chancellor shall give notice, vice president or other officer who reports directly to the institution's chief executive, in which case notice shall be given by the chief executive. The notice shall be given at least five calendar days prior to the date of dismissal and the employee has the

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right, within that time, to respond in writing and request a pre-termination review. Following notice of intent to dismiss and, if requested by the employee, the pre-termination review, the department head or other designated individual, if the notice of intent to dismiss was not given by the chief executive, shall forward a recommendation to the institution's chief executive or the Chancellor. The chief executive or Chancellor shall make a final decision and give written notice of that decision.

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

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- ~~5. 6. An employee who voluntarily or involuntarily leaves his or her non-academic position under this policy but holds a tenured faculty appointment may return to that appointment with all the rights and responsibilities of tenured faculty in the home department, unless a proceeding results in the discharge or demotion of the employee from the faculty position. Should the employee decide to return to the faculty appointment, his or her salary will be adjusted from a 12-month salary for the non-academic duties to a 9-month to 12-month faculty salary that is commensurate with the salaries of comparable tenured faculty members, unless a faculty salary was previously set in his or her contract at the time they assumed the non-academic position. Setting the return-to-faculty salary at the time a person with a tenured faculty appointment assumes a non-academic position is the preferred option. Except for positions explicitly exempt as stated in this section 5 or 6, this policy applies to all employees excluded from the broadbanding system who are not members of the academic staff and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff. This policy applies to coaches unless the employing institution has adopted a different policy governing coaches and that policy is stated or adopted by reference in a coach's employment contract, in which case the institution's policy applies. This policy does not apply to faculty; employees with academic appointments are governed by SBHE Policy Sections 605.1, 605.2, 605.3 and 605.4. Staff employees at the institutions are governed by the North Dakota University System Human Resource Policy Manual.~~

6. 7. Dismissal actions of **regular staff employees** are governed by the NDSU Policies 220 and 231.

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

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

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9. This policy does not apply to the Chancellor and institution presidents. Subsections 1 and 2 do not apply to student residence hall assistants, work study students and other students employed on a

~~part time basis for a limited term. The terms and conditions of employment for student residence hall assistants shall be stated in a written contract.~~

HISTORY:

New	June 1994
Amended	May 1996
Amended	February 1998
Amended	July 1999
Amended	December 1999
Amended	January 2000
Amended	January 3, 2013
Housekeeping	August 26, 2013
Amended	September 18, 2013
Amended	December 4, 2015
Amended	April 28, 2016
Housekeeping	June 27, 2016

Attachment 5

Policy 601 Version 1 08/15/17

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name: 601: Rights and Responsibilities of Community: A
Code of Student Conduct

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

- Is this a federal or state mandate? Yes No
- Describe change: Changes to maintain compliance with federal Title IX regulations, state law regarding student judicial hearings, and internal organizational changes.

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

- Vice Provost for Student Affairs and Enrollment Management – Submitted 8-15-17
- Contact Laura.Oster-Aaland@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: Will go to the 9/14/17 SCC meeting for information only due to the need to expedite these changes

Faculty Senate:

Staff Senate:

Student Government:

President’s Cabinet:

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

North Dakota State University Policy Manual

SECTION 601 RIGHTS AND RESPONSIBILITIES OF COMMUNITY: A CODE OF STUDENT CONDUCT

SOURCE: NDSU President

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1. Introduction

1.1 General NDSU Values

[North Dakota State University \(NDSU\)](#) students have an opportunity to gain the most from their education when every member of the NDSU community takes responsibility to observe and help maintain a code of personal conduct that contributes to the educational effectiveness of the [U](#)niversity. The Code of Student Conduct is derived from three core values that support an educationally purposeful environment:

- Respect for the NDSU Community;

- Respect for the Protection and Rights of Others; and
- Respect for individuals in the Conduct Resolution Process.

The intent of this [Code](#) is to foster educational development of personal accountability and commitment to the community.

Respect for the NDSU Community

All NDSU stakeholders have a responsibility to respect the NDSU community. It is vital for all individuals to conduct themselves in a manner that does not negatively affect the educational mission of the [University](#) or the welfare of themselves or others. This includes promoting an environment conducive to learning and nurturing a sense of shared and mutual community responsibility. Community responsibility also involves awareness of how personal decisions affect others.

Respect for the Protection and Rights of Others

A community respecting the protection and rights of others is necessary to provide a positive and enriching educational environment. Conduct that inhibits the educational process is of concern, whether it occurs on or off [University](#) premises.

Respect for Individuals in the Conduct Resolution Process

All NDSU students have identified rights within the Code of Student Conduct and as afforded by due process [as outlined in this Code](#). The [University](#) will work with students in an educational and fair manner to assist them in reflecting upon and growing from their personal experiences.

1.2 General Complaint Procedures

Students may report concerns, issues and complaints ~~through utilizing the [Problems and Complaints procedure guidelines and form, available at <https://www.ndsu.edu/enrollmentmanagement/forms/>](#)~~ The procedure is designed to provide for orderly collection of information, to address students' complaints in a timely manner by appropriate [University](#) personnel, and to help students learn effective conflict resolution skills.

Students also may arrange a meeting with a staff member in the Student Affairs Office, Memorial Union 250, for advice and direction in resolving the problem. Complaints regarding student conduct covered in this [Code](#) will be resolved according to procedures described in this document.

1.3 ~~Code~~ Authority

~~The President of NDSU is charged with the responsibility for development and administration~~

~~of institutional policies and rules governing the role of students and their conduct. The President also has the responsibility of establishing guidelines for students that set forth conduct standards and provide for appropriate procedures and sanctions for violation of those standards, consistent with procedural fairness (North Dakota State Board of Higher Education Policy Manual, 305.1). The Vice Provost for Student Affairs and Enrollment Management (the "Vice Provost"), as delegated by the President, has responsibility for supervision of the process of handling the University's response to student violations of University rules and regulations, including the imposition of sanctions. The Vice Provost may delegate this responsibility as approved by the President.~~

The Vice Provost for Student Affairs and Enrollment Management (the "Vice Provost"), as delegated by the President, has responsibility for supervision of the process of handling the University's response to student violations of University rules and regulations, including the imposition of sanctions. All student non-academic conduct that violates University rules and regulations and conduct occurring off-campus that affects the University is considered the responsibility of the Vice Provost.

This authority includes the overall supervision of the various administrative committees and boards charged with hearing complaints against students or student organizations for violation of those rules and regulations. Student organizations and University employees are required to inform the Vice Provost whenever action is deemed necessary against a student or student organization.

A Code of Student Conduct contains statements of University policies relevant to student life. Development and enforcement of these standards of conduct are an educational endeavor designed to foster students' personal, social and ethical development. This document forms the basis for student conduct expectations as a member of the NDSU community. The enforcement of these standards serves to promote the protection of the rights, responsibilities, and health and safety of members of the NDSU community.

~~The content of this code was developed with input from a committee of individuals that included student, faculty, and staff representatives, in consultation with the Vice Provost and NDSU's designated legal advisor.~~

~~Contents of the code may be subject to change prior to the reprinting of this document. If changes are made, documents relating to the changes will be available from the Office of the Vice Provost or the Student Affairs Office, printed in the Spectrum or other appropriate university publications, and/or communicated to students through official university electronic media. These changes will be included in future code revisions. An attempt also has been made to reference local, state or federal laws that complement university policies.~~

Conduct described in this Code is illustrative rather than exhaustive. The term “including” should be interpreted to mean “including, but not limited to.” ~~In the event there arises some~~All ambiguity/ambiguities, inconsistency/inconsistencies, or need for clarifications of these statements, the definition, interpretation or clarification will be determined at the discretion of thethe Code will be resolved by the Vice Provost,~~from whom any student, staff or faculty member may request written clarification.~~ Faculty, staff, and students are encouraged to request clarification if a clause or rule is unclear. Final authority for interpretation of this Code lies with the Vice Provost.

Administrators identified in this document may designate one or more individuals to act on their behalf.

Questions should be referred to the Student Affairs Office, 250 Memorial Union.

2. Community Expectations

2.1 General Student Responsibilities

All students are expected to observe the University standards published in ~~this code and those outlined in any other university policies, procedures, contracts or license contracts published elsewhere~~the University Policy Manual. This section outlines responsibilities that pertain specifically to students. However, students must follow all other University policies, procedures, contracts, or license contracts published elsewhere. In addition, students are expected to observe the laws of the community, the state, the nation and relevant jurisdictions when touring ~~and~~/or studying abroad.

2.2 Persons Covered Under This Code

For the purpose of this document, “student” is defined as any individual who has been admitted to the University or enrolled for credit or non-credit courses, ~~was previously enrolled in the university, and/or uses university resources for purposes related to the university’s educational mission, including, but not limited to, performing research and taking classes.~~ Visitors attending an on campus event also may be covered under this code. Students ~~no longer~~previously enrolled in the University may be held accountable under this Code for those violations committed after they were admitted and before they left the University. Student organizations are held to the same conduct standards that apply to individual students.

Commented [MA1]: Do we have authority over visitors?

2.3 Official University Communication

NDSU will use the student’s email address as provided by the University. This address is considered the official form of communication for all purposes (NDSU Policy 609, E-mail as an Official Communication Method to Students). It is the student’s responsibility to maintain

the accuracy of all personal data. ~~It is required that s~~Students ~~continue to~~must monitor the University provided email account ~~at all times~~for important announcements, notifications, and other messages.

2.4 Prohibited Conduct Not on University Property

The University may discipline a student for acts of prohibited conduct committed outside of University property which, in the University's ~~discretion~~determination, may adversely affect the University community ~~and~~or the pursuit of its objectives. When NDSU becomes aware of alleged ~~Ce~~code violations through law enforcement or other third party reports, the University may pursue charges under this ~~Ce~~code against ~~all~~NDSU students identified on such reports.

2.5 Tri-College Policies

NDSU students who are charged with a violation of institutional policy at Concordia College, ~~or~~ Minnesota State University Moorhead, [Minnesota State Community and Technical College](#), or [North Dakota State College of Science](#) will be referred to NDSU and may be subject to action under this ~~Ce~~code.

2.6 Multiple Accountabilities

Because of the varying roles/relationships/responsibilities students may have within and outside of the University, a student may be held accountable for prohibited conduct under other university, local, state or federal policies/laws/jurisdictions, including relevant jurisdictions when touring and/or studying abroad. Examples of other areas of accountability may include:

- Student athletes under the Student ~~Athletic~~Athlete Code ~~of~~ Conduct
- Student leaders within student organizations
- Personnel actions with student employees
- Academic actions under academic programs' professional standards
- Criminal charges or civil suits

Actions under this ~~Ce~~code are educational (administrative) as are other actions taken under NDSU policies. Because the University's procedures are educational and not criminal in nature, such separate proceedings do not constitute double~~triple~~ jeopardy. The University may proceed under this ~~Ce~~code before, during or after the other NDSU administrative processes, or legal proceedings, ~~and~~ NDSU does not typically wait for a court finding ~~prior to~~ proceeding with University process. Findings under this ~~Ce~~code may differ from judgments in criminal courts.

2.7 Financial Responsibility

All students must pay in full any debts to NDSU. For the complete text of the NDSU Collection Policy, please consult the Customer Account Services staff or [NDSU Policy 513, NDSU Collection Policy](#).

NDSU bears no responsibility for financial obligations of individual students or student organizations. Any debts incurred, either on or off campus, by students or student groups will be the responsibility of the individual, organization and its leadership. In the event an organization dissolves and is no longer in existence, individuals holding leadership positions at the time the debt was incurred will maintain responsibility for settling outstanding debts.

NDSU will normally take no action on behalf of creditors in the case of debts incurred by students, student organizations or other student groups. NDSU officials will not use the power of the state to act as a collection agency for private debts of students.

~~2.8~~ Attempts

~~Individuals who attempt to commit acts prohibited by the Code of Student Conduct may be charged, found responsible and sanctioned to the same extent as if they had committed the prohibited acts.~~

~~2.9-8~~ Bias-Motivated Violations

Any ~~C~~code violation that is determined to have been motivated by hate based on ~~age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran~~ [protected classes](#) may result in enhanced sanctions above those typically assigned for the same violations when not motivated by hate. ~~North Dakota State University does not discriminate on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran.~~ See [NDSU Policy 100, Equal Opportunity and Non-Discrimination Policy](#) for further information.

~~2.10-9~~ Repeated Code Violations

Repeated violations of this ~~C~~code are relevant in determining a student's continued membership in the ~~U~~university community. Progressively more severe sanctions, including suspension or expulsion from the ~~U~~university, may be assigned, depending on the nature of the violation(s).

~~2.11~~ Designees

~~Administrators identified in this document may designate one or more individuals to act on their behalf.~~

Commented [MA2]: Moved to the last paragraph of 1.3

6.3. Prohibited Conduct

3.1 Violations of Law

The University reserves the right to address any conduct occurring on or off campus that may be construed as potential or alleged violations of local, state or federal laws.

3.2 Complicity ~~in or Attempts to Commit~~ Prohibited Acts

Complicity is association with and/or participation in an act prohibited by this Code. To avoid being complicit to Code violations, students are expected to do one or more of the following:

- a) Personally confront those involved and stop the violation, except in cases of violence;
- b) Bring the violation to the awareness of a staff member; or
- c) Leave the scene of the violation, if not responsible for the space in which the violation is occurring.

~~Complicit students~~ [Students who are complicit or attempt to commit prohibited acts](#) may be sanctioned to the same extent as if they had committed the prohibited act. Students are accountable for their guests' conduct and may be sanctioned under this provision as if they had committed the violations themselves.

3.3 Alcohol on NDSU Property

Regardless of a person's age, the manufacture, sale, transfer, purchase, transportation, possession, use or consumption of alcohol, and/or possession or display of empty alcohol beverage containers anywhere on NDSU owned or controlled property and/or sponsored or supervised events is prohibited, except as authorized by [NDSU Policy 155 Alcohol and Other Drugs: Unlawful and Unauthorized Use By Students and Employees](#).

3.4 Off Campus Alcohol

Students may face campus charges for alcohol related incidents occurring off campus. Such incidents include, but are not limited to: minor in possession/consumption/under the influence of alcohol, driving under the influence of alcohol, and public consumption of alcohol.

3.5 Drugs Other Than Alcohol

Possession, consumption, being under the influence, or transport of illegal drugs or any other controlled substances is prohibited except pursuant to a physician's, dentist's or other authorized medical personnel's prescriptions. The manufacture, exchange, distribution, purchase or sale of illegal drugs or controlled substances is prohibited. The possession of drug paraphernalia for illegal drug use is prohibited as well.

3.6 Conduct While Under the Influence of Alcohol or Other Drugs

Being under the influence of alcohol or other drugs is a violation of this [Code](#) when the person:

- a) Endangers, or may endanger, the safety of others, property or themselves; or
- b) Causes a disturbance.

3.7 Alcohol at Student Organization Events

Recognized NDSU student organizations planning off campus events at a venue where alcohol may be present must complete and submit an [Event Risk Management Planning Notification Form](#) and a guest list to the Student Activities Office, Memorial Union 120. Events involving alcohol must be closed events, intended only for organization membership and invited guests, and alcohol must be sold and served by a licensed third party vendor.

Student organization or public funds may not be used for the purchase of alcoholic beverages or gift cards to alcohol establishments.

Sale of alcoholic beverages by students and student organizations is prohibited. This includes any action that can be remotely construed as an alcohol sale, such as charging admission to parties, passing the hat, selling empty cups and selling drink tickets. Alcohol, if available, must be sold and served by licensed third party vendors.

Common sources or a bulk quantity of alcohol, such as cases or kegs, are not permitted at any student organization sponsored event.

No activities or promotions shall encourage excessive and/or rapid consumption of alcoholic beverages. This includes contests, drinking games and discounts or special pricing of alcoholic beverages. Use of alcohol at events is expected to be lawful and responsible.

Alcoholic beverages may not be used as awards or prizes in connection with events or activities. Prize coupons and/or gift cards donated by establishments with a liquor license must include the statement, "Not valid for purchase of alcohol."

3.8 Advertising Related to Alcohol

Alcohol promotional activities, including advertising, shall not be associated with otherwise existing campus events, programs or campus organizational functions on or off campus. This includes novelty items, giveaways, and apparel associated with the event. Advertising of establishments that sell alcohol must adhere to the following guidelines:

- Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse or promote alcohol specials such as two for ones, happy hour drink specials or any ads that encourage rapid and extensive consumption of alcohol.
- Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.
- Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with performance of tasks that require skilled reactions such as operation of motor vehicles or athletic performance.
- Advertising of establishments that sell alcohol shall include a statement of low-risk such as “know when to say when” or “please use our products legally and in a responsible manner.”

For additional policy details, consult [NDSU Policy 155, Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees](#), and the Event Risk Management guidelines, available in the Student Activities Office, Memorial Union 120.

3.9 Good Samaritan Responsibilities

All students are expected to protect the well-being of fellow students and others wherever events occur. If a person needs emergency medical attention, particularly resulting from the use of alcohol or other drugs, students are expected to call an ambulance or other appropriate emergency response personnel (ambulance, police, fire, etc.) to gain that assistance. Students/student organizations who fail to respond appropriately may be subject to serious [U](#)niversity sanctions and may potentially be subject to additional civil and/or criminal liability.

Students who appropriately report will not be subject to the Student Conduct process for charges related to alcohol or drug use, nor will the incident become part of the student's conduct record. However, all students [including the student(s) needing assistance and reporter(s)] may be required to have an educational meeting with [U](#)niversity personnel. This protection may not apply if other conduct violations occurred within the same incident. This protection will only apply once in a two year period. Subsequent incidents will not be eligible for protection under this policy.

3.10 Smoking

Smoking, including the use of electronic cigarettes, is prohibited on the [North Dakota State University NDSU](#) grounds and in [U](#)niversity buildings, residence halls, apartments and enclosed structures. ([NDSU Policy 153, Smoke-Free Facilities](#))

3.11 Animals

With the exception of animals authorized by NDSU Disability Services or those defined as service animals under the Americans with Disability Act (ADA), privately owned animals are prohibited inside campus buildings, with the exception of fish. Animals in outdoor areas must be on a leash, must be under control of the owners or their designees at all times and should not be left unattended. Owners are responsible for any health or safety issues that may arise concerning the presence of these animals on [University](#) properties and at NDSU outdoor sponsored or supervised events. Questions may be directed to the Facilities Management Director, Thorson Maintenance Center, 701-231-7911. See [NDSU Policy 100.2, Use of Service and Assistance Animals](#), for further information.

3.12 Intellectual Property Infringement

Infringement of any intellectual property without authorization is prohibited. When reproducing or distributing information, users are responsible for observation of copyrights and other intellectual property rights of others and all state and federal laws, institutional and North Dakota University System (NDUS) policies. Generally, materials owned by others cannot be used without the owner's permission. NDSU assumes no obligation to monitor users for infringing activities, but will, when such activities are called to the appropriate official's attention, investigate to determine if there is likely infringement and take appropriate action. For more information, see [NDSU Policy 190, Employee Responsibility and Activities: Intellectual Property](#).

3.13 Use of NDSU's Name or Trademarks

Use of NDSU's name without prior authorization is prohibited. For additional information and guidance, please see [NDSU Policy 700.1, Use of University Name](#).

3.14 Sale of Class Lecture Notes/Materials

Students are prohibited from transferring their class lecture notes or instructor provided materials for commercial purposes unless approved by the course instructor. In addition to copyright issues raised by such practices, commercial sales or transfers may interfere with the educational purposes of the instruction and potentially inhibit free discussion of ideas central to the academic purposes of instruction at NDSU. Note: This policy does not prevent note taking provided as part of an ADA accommodation.

3.15 Misuse of Proprietary Information

Unauthorized use or misuse of proprietary information, in whatever form, is prohibited. "Proprietary" means property in which the [University](#) or its employees and/or students have a legal interest or responsibility to maintain confidentiality ([NDSU Policy 343, Confidential Proprietary Information](#)).

3.16 Computer Related Conduct

Failure to follow University acceptable use of electronic communication devices is prohibited. Please see [NDSU Policy 158: Acceptable Use of Electronic Communications Devices](#); if additional questions remain, contact the Information Technology Services [Help Desk](#) in [Quentin Burdick Building](#).

Following are common violations found in the two policies noted above. For a complete listing, please view both documents above.

- ~~Unauthorized use, sharing, lending or borrowing of an account;~~
- ~~Using computer services or facilities for purposes other than those for which the account was issued;~~
- ~~Using university network resources and services to play or store game programs;~~
- ~~Using the university's computer system for commercial purposes without written authorization of the Information Technology Security Officer;~~
- ~~Copying, altering or destroying the files or output of another individual without the express permission of that individual;~~
- ~~Altering system software or hardware configurations, or disrupting or interfering with the delivery or administration of computer resources;~~
- ~~Misrepresenting oneself as another individual or entity in electronic communication;~~
- ~~Using the university's network system to download copyright protected media including, but not limited to, books, music, movies, television programs, games and software without proof of purchase or permission;~~
- ~~Exceeding university bandwidth limits;~~
- ~~Sharing or distributing copyright protected media;~~
- ~~Abusing or misusing the computer facilities so as to cause damage, program disturbances or harassment to other persons;~~
- ~~Using the university's network system to enter obscene material into university-owned computers or send obscene material through the Internet or any other electronic system; and/or~~
- ~~Any other violation of university or NDUS policies governing electronic communications, as referenced above.~~

3.17 Deception/Falsification/Misrepresentation

Withholding or providing false information is prohibited. This includes but is not limited to:

- Falsely representing an entity and/or committing or using the resources of an entity without proper authorization;
- Knowingly, intentionally or recklessly making false accusations of prohibited conduct

against another individual;

- Providing false information or falsified evidence with the intent of harming another person; and/or
- Attempting to intimidate witnesses and/or altering or destroying evidence necessary to conflict resolution.

3.18 Financial Aid Misuse

Misuse of financial aid through fraud or abuse is prohibited.

3.19 Disruption of University Business

Disruption or obstruction of [University](#) business, facilities, and grounds, such that the function or service is materially or substantially disrupted or obstructed, is prohibited. University business includes (but is not limited to): teaching, research, administration, public service functions, meetings of [University](#) committees or boards, or any other authorized [University](#) activity or organization on or off [University](#) premises.

3.20 Failure to Comply

Failure to comply with the instructions or directions of all [University](#) and/or emergency personnel in the performance of their duties is prohibited. Such acts may include, but are not limited to, recklessly obstructing or delaying any [University](#) proceedings, providing misleading or false information during an investigation, resisting or fleeing a police officer, failing to comply with assigned [University](#) conduct sanctions, or engaging in verbal and/or physical abuse directed toward any [University](#) personnel.

3.21 Identification

Students are expected to carry [University](#) identification at all times. Failure to produce a [University](#) identification card upon request by any [University](#) personnel in the performance of their duties is prohibited. Guests are expected to carry valid identification.

3.22 Bribery

Offering, giving, receiving or soliciting anything of value to influence the official decision or action of [University](#) personnel, or a person in a position of trust or influence, is prohibited.

Bribing others to fulfill or otherwise attempt to evade academic responsibilities, such as homework, papers, and exams, is prohibited.

3.23 Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another is prohibited.

3.24 Burglary

The unlawful entry into a building or another structure with the intent to commit a felony or theft is prohibited. This includes, but is not limited to, unlawful entry with intent to commit a larceny or felony, housebreaking and safecracking. Attempts to commit the aforementioned also would constitute a violation of this policy.

3.25 Robbery

The taking of, or attempting to take, anything of value under confrontational circumstances from the control, custody or care of a person or persons by force or threat of force or violence or by putting the victim in fear is prohibited.

3.26 Motor Vehicle Theft

The theft or attempted theft of a motor vehicle is prohibited. This includes, but is not limited to, persons having unlawful access even though the vehicle is later abandoned, such as joyriding.

3.27 Theft of Property

Theft or removal of property belonging to the [University](#) or another individual is prohibited. This includes, but is not limited to, furniture, artwork, plants, electronics, books, window screens and signs.

3.28 Theft of Services

Using [University](#) services to which one is not entitled is prohibited. This includes, but is not limited to, using campus laundry services intended only for campus residents, using parking services not purchased, using parking lots other than those assigned by campus personnel, and unauthorized use of [University](#) printing services.

3.29 Possession of Stolen Property

Possession of goods that one knows or that any reasonable person would realize were stolen ~~is prohibited; as is also, to receive~~ing, retain~~ing~~ing, conceal~~ing~~ing, or dispose~~ing~~ing of property knowing that it was stolen. If it can reasonably be demonstrated that the receiver was unknowing, the property should be returned to its owner with no action taken against the receiver.

3.30 Vandalism

The willful destruction or defacement of property belonging to the [University](#) or another individual is prohibited. This includes, but is not limited to, writing on or tearing down bulletin boards, spray painting or unauthorized chalking of buildings or sidewalks, and intentionally breaking or damaging property.

3.31 Trespassing

~~To Enter~~ing and/or remaining in or on property to which a person does not have a legitimate right or purpose to enter or remain ~~is prohibited~~. Such property may include but is not limited to vehicles, apartments, houses, fenced yards, and/or other buildings or portions of buildings, such as roofs. Properties need not be specifically posted with No Trespass signs.

3.32 Unauthorized Sales or Solicitations

Unauthorized sales or solicitations in residence halls, university apartments, or in any other campus buildings are prohibited at any time. For questions regarding sales in the Memorial Union, see the Memorial Union Administrative Office, Room 246. For questions regarding sales in residence life facilities, see the Associate Director of Residence Life, West Bison Court. For questions concerning sales in any other areas, begin the inquiry at the Student Affairs Office, Memorial Union, Room 250.

3.33 Traffic Safety and Parking Enforcement

~~University traffic and parking regulations are published in a separate pamphlet titled "NDSU Parking Regulations" which may be obtained from the NDSU Parking Office, 1801 15th Avenue North. Following are common violations described in the NDSU Parking Regulations brochure: Failure to follow University traffic safety and parking enforcement is prohibited. Please see NDSU Parking Regulations.~~

- ~~● Improper operation of motor vehicles on campus including, but not limited to, driving on sidewalks or grass~~
- ~~● Failure to cooperate with the lawful direction of traffic enforcement personnel in the performance of their duties~~
- ~~● Failure to report an accident that occurs on the NDSU campus, or involves an NDSU official vehicle, in the manner and time limit required by law or by university regulations~~
- ~~● Failure of persons in motorized vehicles or on bicycles, skateboards, roller blades and/or scooters to yield the right of way to pedestrians or abide by any traffic laws~~
- ~~● Falsifying registration information, reproducing, defacing, forging, altering, obscuring or transferring a permit is prohibited. Retaining and using a found permit also is prohibited. Parking permit theft may be processed under this code in place of or in addition to filing of criminal charges for theft of services. Upon completion of investigations by university police and the NDSU Parking Office, sanctions and/or fines may be administered. Only the NDSU Parking Office is authorized to re-sell permits.~~

3.34 Unauthorized Entry/Use of Facilities

~~Unauthorized entry/use of facilities is prohibited. Examples include, but are not limited to:~~

- Unauthorized entry onto the property of the [University](#) or into a [University](#) facility or any portion thereof that has been reserved, restricted in use or placed off limits; unauthorized presence in any [University](#) facility after closing hours; and unauthorized possession or use of a key/access card to any [University](#) facility are prohibited. Unauthorized activities shall include, but are not limited to, entry, use or occupancy to which students are not permitted by virtue of enrollment, employment, class schedule, and/or gender in facilities restricted by gender. University areas that are restricted include, but are not limited to, all building roofs, fire escapes, steam tunnels, elevator shafts, equipment and mechanical storage rooms and construction sites. The use of fire escapes is strictly limited to emergency purposes.
- Duplication, manufacture, possession, or loaning of any key/access card or unlocking device for use on [University](#) facilities, locks or other property on [University](#) premises without proper authorization are prohibited.

Entrance doors for on-campus housing facilities are locked 24-hours a day. Guests must meet their resident-host at the entrance door to gain entry into the building. A resident must escort non-residents at all times.

3.35 Intimidation

Conduct in any form that involves an expressed or implied threat to interfere or that has the purpose or reasonably foreseeable effect of interfering with an individual's personal safety, safety of property, academic efforts, employment or participation in [University](#) sponsored activities, and causes the person to have a reasonable apprehension that such harm is about to occur, is prohibited.

3.36 Physical Assault

Physical assault of another person is prohibited and includes, but is not limited to:

- Use of physical force, violence, intoxicants or other substances to restrict the freedom of action or movement of another person, and/or endangers the health or safety of another person;
- Unwanted physical touching by one person upon another, with or without use/threatening display of a weapon, and regardless if obvious or aggravated bodily injury is sustained.

3.37 Instigation/Provocation

The face-to-face use of personally abusive epithets that, when addressed to any person, are inherently likely to provoke immediate violent reaction whether or not the reaction occurs [is prohibited](#).

3.38 Disorderly Conduct

Disorderly conduct is behavior that intentionally or recklessly creates a risk of public inconvenience, annoyance or alarm without proper authority. These behaviors are prohibited and include, but are not limited to, fighting, engaging in violent behavior, making unreasonable noise, obstructing vehicular or pedestrian traffic, disturbing a lawful assembly, and streaking.

Students may also be charged with Disorderly Conduct for participating in or hosting noisy or loud parties or other public disturbances on or off campus. Loud parties consist of two or more individuals whose conduct leads to noise complaints.

3.39 Discrimination, Harassment, and Retaliation

[North Dakota State University NDSU](#) is fully committed to equal opportunity in educational programs/activities and employment decisions for all individuals. Any discriminatory (different or unequal treatment) or harassing actions(s) (unwelcome behavior that has the intent or effect of unreasonably interfering with the individual's academic or employment endeavors or creating a hostile, intimidating or offensive environment) taken against another based on age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, or status as a U.S. veteran or other protected class as defined by local, state, or federal law, 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, is prohibited. Any attempt to retaliate because of one's participation in a protected act (anyone who, in good faith, alleges discrimination, harassment or sexual harassment or who provides information related to an equal opportunity grievance) is also prohibited. See [NDSU Policy 100, Equal Opportunity and Non-Discrimination](#) and [NDSU Policy 156, Discrimination, Harassment, and Retaliation Complaint Procedures](#).

3.40 Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Compliance

See [NDSU Policy 603—Sexual Misconduct and Title IX Compliance](#).

~~Individuals concerned about equal opportunity violations should request assistance from the university's Vice Provost for Faculty and Equity, NDSU's designated legal advisor, Counseling Center, Disability Services Office, or an appropriate administrator/office. In addition, the university's equal opportunity grievance procedure is available for any person(s) wanting to file a complaint alleging discrimination, harassment, sexual harassment or retaliation.~~

~~See related policy, [NDSU Policy 162.1, Consensual Relationships](#). Consensual relationships are defined as those romantic or sexual relationships in which both parties appear to have consented, but where there is a definite power differential within the University between the two parties. The actual or perceived imbalance of power that exists in a relationship when~~

~~one of the parties in the relationship is an instructor or supervisor (including graduate assistants) and the other is a student or supervisee. Where a power differential exists, the instructor (including graduate students) or supervisor must report the matter, as soon as possible, to his/her immediate supervisor so appropriate steps may be taken. Accordingly, suitable arrangements will be made for the objective evaluation of the student's, employee's, or prospective employee's academic or job performance and for the protection of individual and University interests. A copy of this policy may be requested from the Student Affairs Office, Memorial Union 250.~~

~~North Dakota State University (NDSU) strives to create a campus community free from interpersonal abuse including sexual misconduct. For complete information regarding sexual misconduct and Title IX compliance, please see NDSU Policy 603 — Sexual Misconduct and Title IX Compliance. NDSU Policy 162, Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Policy.~~

Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. Anyone who becomes aware of a Title IX complaint or violation of this policy and has the authority to take action on the complaint or violation, shall report the complaint or violation either to the Title IX Coordinator/Equity Office or Student Affairs Office:

Title IX Coordinator/Equity Office
Old Main 201
Phone: 701-231-7708

Student Affairs Office
Memorial Union 250
Phone: 701-231-82406537

~~For complete information regarding sexual misconduct and Title IX compliance, please see NDSU Policy 603, Sexual Misconduct and Title IX Compliance.~~

Commented [MA3]: Moving up to first paragraph

3.41 Other Acts of Harassment

Any action or any series of actions that interfere with individuals' academic efforts, employment, personal safety or participation in University sponsored co-curricular activities is prohibited.

3.42 Stalking

Stalking is prohibited. Stalking is a pattern of repeated and unwanted attention, harassment, contact or any other course of conduct that would cause a reasonable person to feel fear for safety to self or the safety of others; or suffer substantial emotional distress.

3.43 Lewd or Obscene Conduct

Lewd or obscene behavior that flagrantly flaunts community standards with respect to sexuality is prohibited. Lewd behavior includes, but is not limited to, sexual acts in public places, and exposing genitalia.

3.44 Endangerment ~~or Safety~~ of Individuals

~~Endangerment of individuals is prohibited. Examples include, but are not limited to:~~

- ~~Initiating or circulating a [false](#) report or warning, ~~concerning an impending bombing, a fire, or other emergency or catastrophe knowing that the report is false, or knowingly transmitting such a false report to an official or an official agency, is prohibited.~~~~
- ~~Willful failure to comply with orders issued by any emergency personnel during any real or perceived emergency condition, ~~is prohibited. Examples include, but are not limited to, tornado, fire, fire drill, bomb threat or situations requiring shelter in place.~~~~
- ~~Tampering with any fire protection sign or device or any other emergency equipment, ~~including, but not limited to, fire extinguishers, fire hoses, smoke/heat detectors, sprinkler systems and other alarm systems, for reasons other than an actual or perceived emergency, is prohibited.~~~~
- ~~Tampering with elevator controls, elevator shaft access, and/or other elevator equipment, ~~by acts including, but not limited to, jumping, elevator surfing, falsely sounding alarms and stopping between floors, is prohibited.~~~~
- ~~Willful failure to follow safety standards, ~~is prohibited.~~~~
- ~~Creating a risk of bodily harm or falsely creating the impression of risk of bodily harm to others, ~~and is prohibited.~~~~
- ~~Knowingly focusing, pointing or shining a laser pointer at an aircraft or at a person, ~~is prohibited. A laser pointer is any device that creates a visible light used for aiming, targeting or pointing out features.~~~~

3.45 Hazing

Hazing is prohibited regardless of location, intent or consent of participants. Hazing is defined as any action or situation that intentionally or unintentionally endangers a student for admission into or affiliation with a student organization or group. Such activities and situations include, but are not limited to, paddling in any form; creating excessive fatigue; forced consumption of any substance; forced road trips; morally degrading, demeaning, unsanitary, humiliating games or stunts; and harassment, ridicule or other activities prohibited by law or [U@](#)university policy.

It is the responsibility of the organization and its leadership in conjunction with the (inter)national organization, if any, to protect potential members, members or other persons associated with the organization from any hazing activity or practice conducted, condoned, or

encouraged by the current members of the organization, alumni or other associates.

3.46 Sporting Activity Restrictions

Riding skateboards or scooters and using in-line skates, roller skates, and bicycles are prohibited inside all [University](#) facilities. Use of water guns, water balloons and throwing of flying discs, balls or other objects also are prohibited indoors, except when authorized. Use of projectile launchers is prohibited on campus without documented permission by an appropriate [University](#) official. Launchers may include those intended for water balloons, potatoes, pumpkins and other items. For guidance, contact the Director of [University Police and Safety Office](#).

3.47 Weapons/Firearms/Explosives

Unauthorized and/or illegal possession, display or use of firearms, explosives or other weapons is prohibited.

- Firearms and weapons include, but are not limited to, airsoft guns, BB guns, dart guns, handguns, paint ball guns, pellet guns, rifles, shotguns, stun gun or similar device designed to deliver an electric shock, daggers, knives, sabers, swords, and bows and arrows.
- Explosives include, but are not limited to, bombs, explosives, fireworks and other incendiary devices. Incendiary devices are defined as any flammable liquid enclosed in a readily breakable container that can be equipped with an igniter of any type.
- Other weapons include, but are not limited to, martial arts implements, dangerous fuels and chemicals. Any object may be considered a weapon when used to inflict or threaten infliction of bodily injury or property damage.
- Throwing or casting any object into, upon or against any building, structure, motor vehicle or at any person is prohibited.

This policy shall not prohibit persons or student organizations from possessing, storing or using weapons at approved locations for the purpose of meeting requirements of educational programs and/or a student group recognized by the [University](#). For authorization, contact the Director of the [University Police and Safety Office](#).

The [University Police and Safety Office](#) provides limited, temporary storage space for on-campus residents to store ammunition and sporting arms, such as those used for hunting and other shooting sports. Weapons should be checked in immediately upon arrival to NDSU and checked-out immediately prior to leaving the campus. An officer must be present for check-in/check-out. The [University Police and Safety Office](#) is open and available for check-in/check-out on a 24/7 basis.

7.4. Student Organizations/Activities

4.1 Responsibilities of Student Organizations and Affiliated University Groups

A student organization or a group affiliated with the [University](#) shall be deemed responsible for acts of prohibited conduct committed by individuals when such acts:

- a) Are mandated, sponsored, approved, or encouraged by the group or organization, whether explicitly or implicitly; or
- b) Take place in the context of a tradition, custom, or past practice of the group or organization; or
- c) Are reasonably foreseeable as a result of an activity carried on by the student organization or affiliated [University](#) group.

Students residing in properties owned by organizations or groups affiliated with the [University](#) will be held responsible for their conduct, conduct of their guests and controlling access to their premises.

4.2 Student Organizations and Affiliated University Group Compliance with University Policy

Student organizations and affiliated [University](#) groups must be in compliance with [University](#) policies, procedures, and regulations. Prohibited conduct includes, but is not limited to, misappropriation of funds, misuse of property, improper registration or misrepresentation of an organization or group, or abuse of student election regulations.

4.3 Conduct Resolution and Enforcement Procedures

For information concerning the [Code](#) resolution procedure(s) to be utilized, refer to Part 5. Procedures and Part 6, Hearing Procedures for Potential Suspension or [Expulsion](#) Cases.

When a student organization or an affiliated [University](#) group is charged with prohibited conduct, the presiding officer or individuals affiliated with the group shall be required to participate as representatives of the group in proceedings conducted under this [Code](#).

In some cases, organizational officers or members also may be charged with individual violations related to the original incident involving the organization, in separate proceedings.

Because conduct records of student organizations are not protected by the Family Educational Rights and Privacy Act (FERPA), any individual is entitled to learn the results of conduct actions taken against student organizations as long as those disclosures do not compromise the privacy of any individual student's education record. In such situations, federally protected individual names will be removed.

4.4 Recognition

Recognition of student organizations is granted by the [Student Government Executive Commission of the Congress of Student Organizations Commission](#) and registered in the Student Activities Office in the Memorial Union. Although student organizations are independent [organizations from NDSU units which exist at NDSU and are not considered agents of the University](#), they are expected to uphold and comply with [U](#)niversity policies; the Code of Student Conduct; and local, state and federal laws.

[Student organization purposes must be compatible with the educational mission and purpose of the university.](#)

Students and student organizations are free to examine and express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt regular and essential operations of the [U](#)niversity. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

Commented [MA4]: Kim Bruemmer questioned this statement because she doesn't know if many fit the educational mission and purpose of the university outside of providing opportunities for students to engage with campus. -- Chris Wilson agrees.

4.5 Membership

Membership must be limited to current students, faculty and staff of NDSU. Students who transfer to another Tri-College institution who want to retain membership in an NDSU registered student organization may be eligible for on-going membership, contingent upon approval from the Vice Provost. In the case of dual college or tri-college recognized student organizations, membership criteria as defined in the [Congress of Student Organizations \(CSO\)](#) guidelines must be met.

4.6 Registration Requirements

The following information must be electronically filed with the Student Activities Office:

- a. Organization registration form.
- ~~b. Signed agreement by local student organization officers that there will be no illegal discrimination on the basis of age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation or status as a U.S. veteran, or any form of discrimination in the selection of members or officers on a local level.~~
- ~~c. Signed agreement by local student organization officer(s) that there will be no participation in any activities that could be considered hazing.~~
- ~~d. Request to check Eligibility for Participation Form.~~
- b. [Privacy Statements by students in leadership positions, and](#)
- ec. Copy of the current constitution.

Commented [MA5]: These three are all one privacy statement that everyone entering into MyNDSU will agree to before using the system. It's not done on an annual basis. -- Combined using name of form

Students holding elected or appointed leadership positions must meet the following academic and good conduct eligibility standards:

- a. Students in leadership positions must have attained and must maintain during the term of participation a minimal cumulative grade point average of 2.0, and may not be on academic probation.
- b. Students in leadership positions must be enrolled for and maintain a minimum of nine (9) semester credits during the term of participation and have successfully completed nine (9) credits from the most previous semester.
- c. Students in leadership positions must be in good conduct standing with the Student Affairs Office.

Additional information regarding eligibility for participation in co-curricular activities can be found on the Student Affairs webpage.

Commented [MA6]: Kim is currently working with Laura and Matt on possibly changing these requirements.

Commented [MA7]: Will this be staying the same? If so, should Kim update her records to state that conduct will be checked by the Office of Student Affairs? --Student Affairs will check

Field Code Changed

4.7 National/International Affiliated Organizations

National/international affiliated organizations must uphold the policies and procedures of their national/international organizations in addition to University policies and procedures. University policies will supersede in the case of conflicting policies.

4.8 On and Off Campus Activities/Events

All on and off campus activities/events must follow all guidelines and procedures set by the Memorial Union Student Activities Office.

• **Chalking**

Individuals who want to chalk on sidewalks near the Memorial Union should seek permission from the Associate Director of the Memorial Union. Contact the Director of Facilities Management to seek permission to chalk in any other area. Chalking on any other surfaces is prohibited. The content of messages is limited to the promotion of a specific event.

Commented [MA8]: There is no chalking on campus for student organizations anymore. Special departments could be granted permission on a case by case basis with Facilities Management.

Posters, Signs, Leaflets

Placing posters, signs or leaflets, except on one's own personal property or in areas authorized and provided for that purpose by the University, is prohibited. Individuals should seek permission from those persons who have administrative control of that location. For guidance when this person is unknown, contact the Student Affairs Office.

4.9 Fraternities and Sororities

• **Membership**

Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College/ Dual-College recognition; membership is limited to students

enrolled at NDSU.

- **Residents of Greek Chapter Houses**

Only initiated member(s) of that chapter currently enrolled at NDSU, or a house employee, may reside in the house during the fall and spring semesters without authorization from the Student Affairs Office and by chapter leadership.

- **Summer Rules**

Fraternity and sorority presidents are to furnish names of the summer house managers to the Assistant Director of Fraternity and Sorority Life, [Memorial Union Student Activities Office](#). Chapter leadership is required to inform summer residents of [U](#)niversity and fraternity/sorority life policies.

- **Alcohol and Other Drugs**

Fraternity Houses – No alcoholic beverages are permitted in common areas of chapter property at any time. Members who are 21 years of age may consume alcohol in the privacy of their rooms/suites with no more than three non-room/suite residents who are also 21 years of age or older. If multiple individuals live in one room/suite, all residents must be 21 years of age or older. Illegal drugs are not permitted on chapter property at any time.

Sorority Houses – National Panhellenic Conference policy requires alcohol free facilities for all house chapters. Illegal drugs are not permitted on chapter property at any time.

- **Code Violations**

As is the case with all [U](#)niversity student organizations, fraternities and sororities will be held responsible for any conflicts with [U](#)niversity policies occurring in chapter residences or at functions or social events sponsored by chapters.

4.10. Commercial Solicitations and Distribution Issues

Policies and procedures exist for students who wish to distribute information. For additional information, see [NDSU Policy 154, Distribution of Literature](#).

8-5. Procedures

Resolution of Alleged Code Violations

The [code](#) resolution process generally includes the following steps:

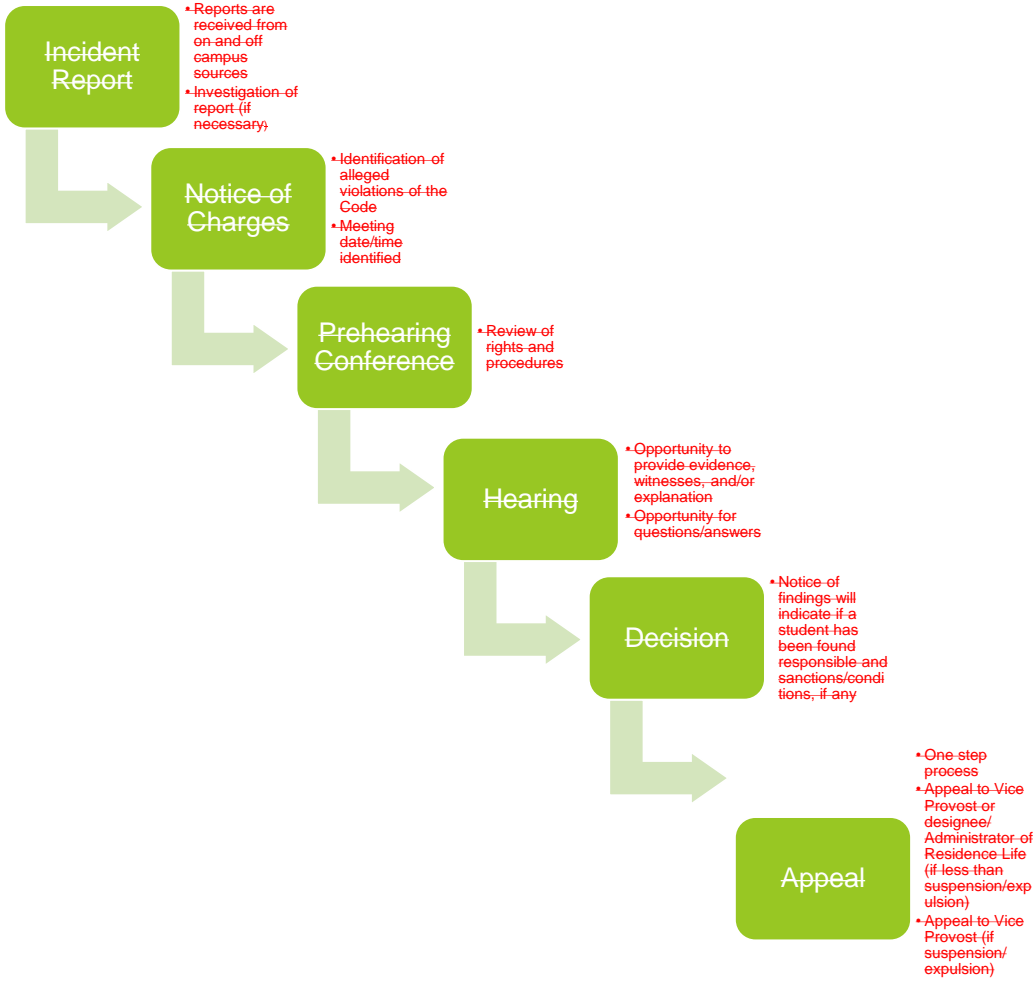
- a) Receipt of an incident report;
- b) Creation of a conduct file;
- c) Implementation of interim actions, if necessary;
- d) Investigation of incident, if necessary;
- e) Notice of [alleged violations charges](#);
- f) Prehearing [C](#)onference,
- g) [Administrative H](#)earing,

8/11/17

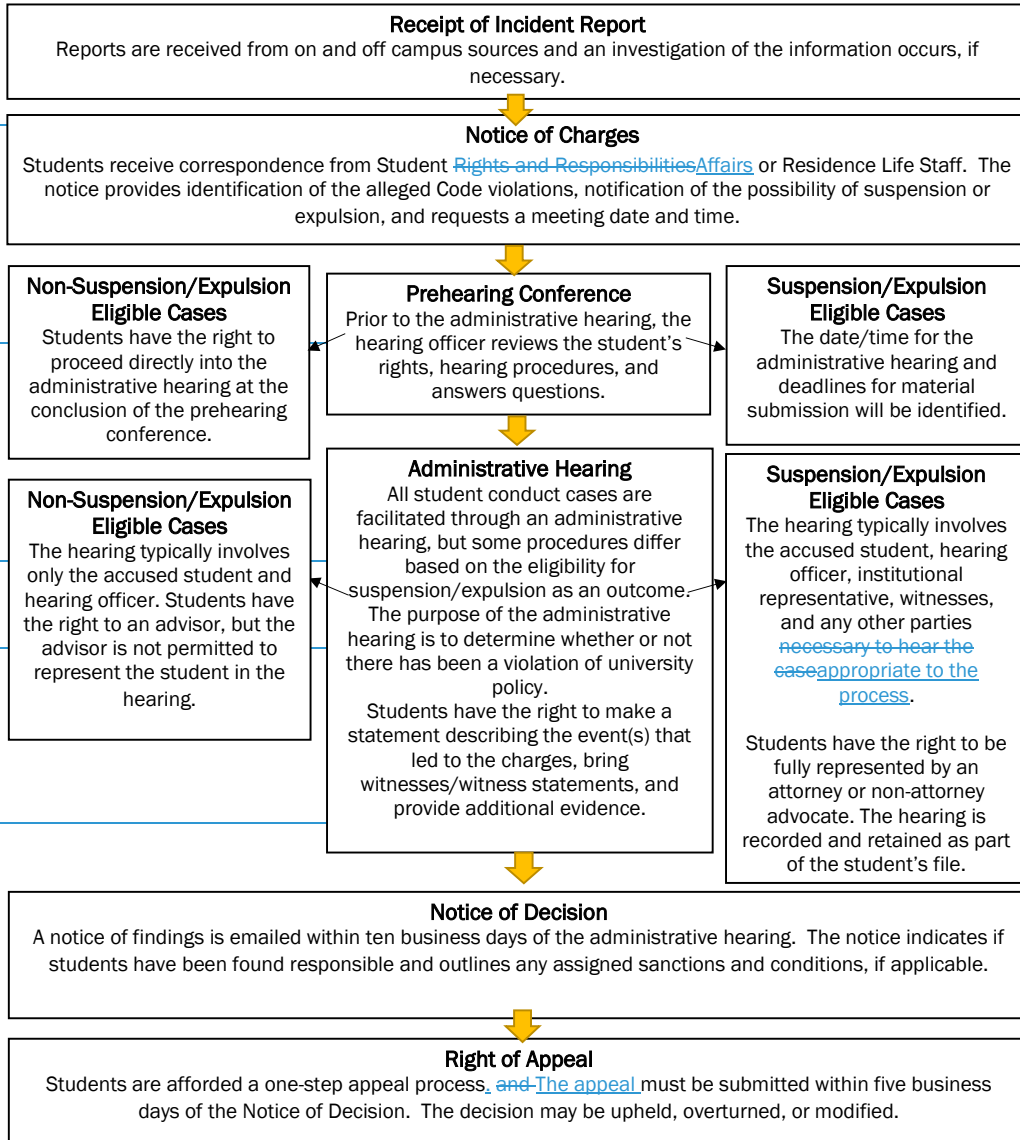
- h) ~~Notification-Notice of findingsdecision; including sanctions, and terms and conditions, as assigned,~~
- i) ~~Right of Appeal (if student chooses); and~~
- j) ~~Notification-Notice of appeal decision (if applicable).~~

A detailed description of these steps is provided below. Cases related to ~~civil rights and Title IX compliance~~discrimination, harassment, retaliation, and sexual misconduct will require some modification of the resolution process, as approved by the NDSU Title IX Coordinator.

Resolution of Alleged Code Violations



Resolution of Alleged Student Code Violations Flowchart



Discrimination, Harassment, [Retaliation](#), and Sexual Misconduct
In all cases involving an allegation of violation to Policy [456100](#) or Policy [162](#), both the reporting and responding students have equal procedural rights.

5.1 Reporting and Investigating Complaints

When provided information by law enforcement agencies, the [U](#)university reserves the right to initiate action under this [C](#)ode when alleged violations of the [C](#)ode are believed to have occurred. Reports and investigations are used to determine whether a student is responsible for alleged violations of the Code of Student Conduct, and include the following purposes:

- a) To provide for the education of students;
- b) To promote the health, safety and well-being of [U](#)university community members;
- c) To provide for fair inquiries concerning alleged violations of [U](#)university policies;
- d) To determine whether or not any individual student has violated a [U](#)university policy;
- e) To allow for consideration of extenuating or mitigating factors when a violation has been found to exist;
- f) To determine a resolution ~~that will be appropriate~~; and
- g) To help the student make a constructive response toward self-discipline.

5.2 Reporting Alleged Violations

Alleged violations should be reported as soon as possible following the discovery of alleged prohibited conduct and may be initiated by law enforcement, any member of the NDSU community, or other interested parties. An alleged violation should be reported to the:

- a) Student Affairs Office, 250 Memorial Union, ~~and/or~~
- b) Department of Residence Life, West Bison Court, ~~and/or~~
- c) [Equity Office, 201 Old Main.](#)

5.3 Investigations

Investigation means to gather the facts, details and circumstances associated with a complaint. The investigation may include interviewing witnesses, review of documents or other steps that will assist the Vice Provost and/or designee to determine whether charges are warranted. [Written findings of the investigation along with a recommendation for Dismissal of the complaint or a recommendation of pursuing an alternative resolution, or charges will be produced by the investigator\(s\) may result following an investigation and provided to the Student Affairs Office. If the report indicates reasonable cause to believe that a violation occurred, then the Vice Provost's designee shall proceed with a Notice of Charges. This determination is made at the discretion of the Vice Provost and/or designee based on recommendations from investigators.](#)

Commented [MA9]: Provides clarification of who determines whether reasonable cause is present

The University may independently investigate an allegation of student conduct, and may also initiate an investigation at the request of any member of the NDSU community or affected party. ~~Student Affairs hearing officers and other~~ Designated University personnel are authorized to investigate alleged violations of the Code of Student Conduct.

All cases of discrimination, harassment, retaliation, and sexual misconduct involving a potential violation by a student shall be investigated by the Equity Office utilizing the procedures set forth in Sections 1 through 8.8 of NDSU Policy 156. The Final Investigative Report as set forth in NDSU Policy 156 shall constitute the Investigation Determination for purposes of Section 5.6 below.

Any person believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Failure to comply with a request to make and keep an appointment relevant to an investigation may result in a conduct hold being placed on a student's registration and records.

5.4 Interim Measures

In the interest of safety and security, interim actions may be implemented by the Student Affairs Office prior to a completed investigation or conduct hearing. Specific actions will be based on the circumstances of the allegations and may include, but not limited to no contact orders, housing/workplace changes, loss of privileges, restricted access to campus, or temporary emergency suspension.

5.5 Searches and Seizures

University policy on the privacy of student rooms stipulates that entry and search of University residences by University officials will be permitted only in one or more of the following instances:

- a) The student consents to the search;
- b) The officials responsible fear an imminent danger to health, safety, life or property;
- c) The Vice Provost or designee provides a written administrative authorization specifying reasons for the search, objects of information sought and area to be searched; or;
- d) University officials fear imminent destruction of evidence relevant to a suspected violation of University policies.

When students are suspected of violating NDUS or NDSU Acceptable Use Policies, student computers, associated peripheral devices, and media storage devices may be taken into temporary custody on authority of the Information Technology Security ~~Staff Officer (ITSO)~~ to collect and preserve evidence of possible violations of local, state or federal laws (NDSU Policy 158, Acceptable Use of Electronic Communications Devices). If additional questions

remain, contact the [Information Technology Security Officer \(ITSO\)](#).

The [University](#) requires that [University](#) officials notify the Vice Provost and/or designee of searches [when they become aware of the action](#). The [University](#) will not intervene between students and searches authorized under law by any law enforcement agencies.

The right to inspect residence hall rooms and university apartments without notice is reserved by the [University](#) for purposes of maintenance, cleaning, fire, personal safety and administering provisions of the license [contract/agreements](#). The [University](#) will provide reasonable notice, when possible. Such entry by the [University](#) shall not be regarded as a search, but is separately agreed to and authorized by the student through provisions in the [residence hall agreements or university apartment license/residence life license contract](#). Items that pose an imminent danger to health, safety, life, or property may be taken into temporary custody of residence life staff, university police, or other emergency personnel.

5.6 Notice of Charges

~~Within a reasonable number of business days (generally 15) of receipt of the complaint~~[If the investigation determines that charges are appropriate](#), a written notice will be sent, ~~usually~~ via authorized [University](#) email, to the ~~accused~~[responding](#) student to arrange a prehearing conference.

The notice of charges will include ~~when known~~:

- Nature of the alleged [Code](#) violation;
- Date, time and place of the alleged [Code](#) violation;
- Source of the information;
- ~~Summary of the evidence to be presented;~~
- Maximum sanction applicable if found in violation of the Code of Student Conduct;
- The student's right to be represented by an attorney or nonattorney advocate, at the student's expense if suspension or expulsion are identified as potential sanctions; [and](#)
- Notice that a decision may be made in the student's absence based on the information currently available.

The student must be given notice in writing of a summary of the charges and evidence to be presented in sufficient time to ensure an adequate opportunity to prepare for the hearing. The [University](#) will provide the student oral or written notification of the hearing at least ~~three-five~~ business days prior to the hearing date. Students may consent to a shorter notice period, if they so choose.

5.7 Prehearing Conference

During the prehearing conference, the hearing officer will discuss the:

- a) Student's rights and responsibilities, ~~and~~
- b) Nature of the complaint and how the Code of Student Conduct may have been violated, ~~and-~~
- c) Process for resolution of alleged Code violations.

The student may request to proceed with an immediate hearing, except in cases which may result in suspension or expulsion. The hearing officer may refuse to hear the case and refer it to another hearing officer.

5.8 Conduct Hearings

The Code of Student Conduct resolution process is facilitated through an administrative hearing to determine whether or not there has been a violation of University policy. Although all cases are heard administratively, some procedures differ between cases that are not eligible for suspension/expulsion and those that are eligible for suspension/expulsion. The University reserves the right to determine procedures and appropriate individuals to include in the process. In an administrative hearing, the responding student has a right to make a written and/or oral statement describing the event(s) that lead to the charges, bring witnesses or witness statements, and provide any additional evidence. ~~An administrative hearing involves the accused student, hearing officer and any other individuals necessary to determine whether or not there has been a violation of university policies. The hearing officer is the NDSU representative assigned to process an alleged violation of university policies. At this hearing, the student has a right to make a written and/or oral statement describing the event(s) that led to the charges.~~

In all cases involving an allegation of discrimination, harassment, retaliation, or sexual misconduct, the accused student and the alleged victim both reporting and responding students shall have equal procedural rights as detailed in NDSU Policy 156, Discrimination, Harassment, and Retaliation Complaint Procedures.

~~When a case has potential to result in suspension or expulsion, the hearing will be recorded and retained as part of the student's file. In some situations, the hearing officer may recommend to the Vice Provost that a video recording may be more appropriate than an audio recording. Notice will be provided to the student no less than two business days before the hearing. Access to the recording will be made available for the purpose of preparing an appeal. Requests for access should be directed to the Student Affairs Office.~~

~~The hearing officer will provide written notice of the findings to the student stating whether or~~

not the Code of Student Conduct was violated. The written notice will include sanctions and terms and/or conditions for continued enrollment or re-enrollment, if any. The notice will generally be provided within 10 business days following the hearing. The Vice Provost may grant time extensions, if necessary.

University administrators who have direct responsibility for student organizations will process conduct cases related to fraternities, sororities and student organizations. Individual organizational boards will address only violations of those organizational standards, not violations of this Code.

Non-Suspension/Expulsion Eligible Conduct Hearings

A non-suspension/expulsion eligible conduct hearing is an administrative hearing that generally involves only the responding student and the hearing officer. The hearing officer is the NDSU staff member assigned individual appointed by the University to process an alleged violation of University policy. The hearing officer shall typically be a University employee, however, the University may, in its discretion, retain a non-employee to serve as a hearing officer at the University's expense.

Following the hearing, the student will receive written notification of the hearing outcome.

Suspension/Expulsion Eligible Conduct Hearings

A suspension/expulsion eligible conduct hearing is an administrative hearing that involves the responding student, hearing officer, institutional representative, and any other individual(s) appropriate to the process. The hearing officer is the individual appointed by the University to process an alleged violation of University policy. The hearing officer shall typically be a University employee, however, the University may, in its discretion, retain a non-employee to serve as a hearing officer at the University's expense. The institutional representative is the staff member assigned individual appointed by the University to present the findings at the hearing.

Prior to the hearing, any materials being utilized during or witnesses being called to the hearing must be submitted to the Student Affairs Office by a deadline set during the prehearing conference.

The hearing will be recorded and retained as part of the student's conduct file. Access to the recording will be made available for the purpose of preparing an appeal. Requests for access should be directed to the Student Affairs Office.

Following the hearing, the student(s) will receive written notification of the hearing outcome.

5.9 Student Advisory Options

The student has the right to have a person present who may act in an advisory capacity. Hearing advisors may not serve as witnesses. Hearing advisors who do not comply with hearing procedures or the directives of the hearing officer may be cautioned by the hearing officer and if they persist, may be asked to leave.

If a student chooses to have an attorney present as his or her hearing advisor, NDSU may request legal representation be present as well. In cases that do not involve potential for suspension or expulsion, the role of an attorney shall be to advise his or her client, not to participate in the hearing. Attorneys who do not respect this provision may be cautioned by the hearing officer and if they persist, may be asked to leave.

In cases that could result in suspension or expulsion, attorneys or nonattorney advocates may fully participate, which means they may make opening and closing statements, examine and cross-examine (through the hearing officer) witnesses present during the hearing, and provide the student with support, guidance and advice throughout the process.

5.10 Default Proceedings and Unresolved Charges

When a student/organization fails to appear for a hearing appointment without advance notice, or leaves the University with unresolved charges, the hearing officer may make a decision in the student/organization's absence, providing the student/organization was issued adequate written notice of the date, time and place of the scheduled hearing via the NDSU email system.

In certain cases, the hearing officer reserves the option to place a registration hold on the student's records and archive the case until such time the student requests re-registration or a resolution of the pending matter. ~~The hearing officer also may place a transcript notation, "may not register for non-academic reasons," after recommendation to and approval from the Vice Provost or designee.~~

5.11 Student Organizations in Default

In the event a student organization becomes inactive rather than appear for a hearing, the default decision will typically be withdrawal of recognition granted by the Congress of Student Organizations [Commission](#). In addition, officers of the organization at the time of the incident may face conduct proceedings individually (see Section 3.20, Failure to Comply) and also may be charged with one or more of the original alleged violations of the [Code](#) arising from the alleged misconduct by the organization.

If the organization requests registration at a later date, the Vice Provost or designee will assign a hearing officer to meet with the student organization leadership to determine

responsibility for the original charges, determine or recommend the appropriate sanction, and if that sanction is less than suspension or expulsion, will assess the need for any current remedial actions.

5.12 Conflicts of Interest

Any hearing officer who has a conflicting interest in the particular case may not participate. Each party has the right to challenge the appointment of a hearing officer. Challenges must be submitted in writing to the Vice Provost or designee at least two-five business days prior to the hearing. If a party fails to raise a perceived conflict by objecting to that person two-five business days in advance, any objection is deemed to be waived. An individual may not be disqualified solely on the basis of his or her position in the University community.

5.13 Burden of Proof

The burden of proof will rest upon the hearing officerUniversity.

5.14 Standard of Proof

The standard of proof will be a "more likely than not preponderance of the evidence." A student is found to have violated this Code when the student:

- a) The student Admits to the violation or
- b) Information available at the time ofEvidence admitted at the hearing supports a finding of responsibilityindicates by a preponderance of the evidence that the student is responsible for a violation.

5.15 Witnesses/Witness Statements

~~The accused student and the hearing officer~~All parties will be given reasonable opportunity to present witnesses and/or witness statements and will be allowed to address questions to any witnesses participating in the hearing. ~~An absolute right of cross examination is not granted under this code.~~All questions will be addressed through the hearing officer, ~~who will determine if the questions are relevant and reasonable, and if necessary, will exclude questions that are redundant or irrelevant in determining responsibility~~ however, the hearing officer may allow for direct questioning of non-party witnesses. Witnesses will be given reasonable latitude to respond fully to questions and will only remain for the duration of their own testimonies. All written statements that are to be considered are to be provided at least two business days prior to the hearing. Written statements must also be signed and dated, with the name of the witness printed below to ensure legibility or sent electronically directly by the witness. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

Character witnesses are not permitted. The hearing officer will exclude any information from

~~the hearing documentation that appears to be a character statement rather than facts or evidence related to the case.~~ If the ~~accused-responding~~ student is found responsible for violating this ~~Ce~~ode, character statements may be considered during sanctioning. ~~The accused student~~All parties may submit up to three letters to the hearing officer, at least two business days prior to the hearing. Each letter must be dated and signed, with the name of the individual signing printed below to ensure legibility or sent electronically from the author of the written statement.

5.16 Evidence

~~The accused student and the hearing officer~~All parties will be given reasonable opportunity to present any written or oral information ~~or other documentation~~ that is relevant in determining responsibility. All pertinent information that is to be considered is to be provided at least two business days prior to the hearing. Deviations to the time restriction may be granted as long as all parties have sufficient time to prepare.

Because the hearing is an educational process, formal rules of evidence do not apply. For this reason, hearsay evidence may be permitted. It refers to testimony given by a witness who speaks about information received from others, rather than information given directly by that witness. The value of such evidence rests with the discretion of each hearing officer.

5.17 Self Incrimination

~~Accused students and witnesses~~Parties shall not be compelled to incriminate themselves by being obligated to testify that they engaged in conduct constituting a violation of this ~~Ce~~ode and/or local, state or federal law.

5.18 Closed Hearings

All hearings are generally closed except to those persons who are part of the proceedings; ~~unless otherwise arranged by prior mutual written agreement between the charged student and the Vice Provost or designee.~~ The Vice Provost or designee may permit a limited number of NDSU personnel to be present as observers for the purpose of training. Other exceptions may also be made as deemed ~~necessary-appropriate~~ by the Vice Provost or designee.

5.19 Appeals

Students sanctioned for violations of any part of this Code of Student Conduct or relevant ~~U~~niversity policies may appeal. Students are limited to one appeal and that decision is final (see Section ~~VIII-8~~ Appeal Procedures).

9-6. Hearing Procedures for Potential Suspension or Expulsion Cases

6.1 Introduction

With all parties present, the hearing officer will call the meeting to order and will ask all parties participating in the hearing to introduce themselves and identify their role in the proceedings.

The hearing officer will describe the general outline of the hearing and will read the honesty statement. If a student is represented by an attorney or nonattorney advocate, that individual has the ability to fully participate in the hearing as indicated in section 5.9, Student Advisory Options. Hearing advisors (attorney or nonattorney advocates) will be required to sign a confidentiality statement pertaining to information about all parties involved in the hearing.

The hearing officer will dismiss witnesses until they are called to speak.

Honesty Statement

The University expects that all information presented in this hearing will be true and correct to the best of each person's knowledge. If students willfully provide false information, they will be in violation of NDSU's Code of Student Conduct. As a result, they also may be subject to additional disciplinary action. Dishonest behavior by any faculty or staff members will be reported to supervisors for any necessary disciplinary action.

6.2 Complaint and Response

The ~~hearing officer will introduce~~ institutional representative will present the case.

The ~~accused-responding~~ student (and/or attorney or nonattorney advocate) will be permitted to respond to the charges and present information that is relevant in determining whether the student violated one or more sections of the ~~Code~~.

6.3 Presentation of Witnesses

~~The hearing officer and the accused student~~ All parties will shall be allowed to present witnesses who may be asked questions by the hearing officer, ~~accused-responding~~ student (and/or attorney or nonattorney advocate), reporting party, and Vice Provost or designee. All questions will be directed to the hearing officer who will determine relevancy and reasonableness to the proceeding, request clarification if necessary, ask if the respondent understands the question and request a response.

6.4 Final Questions Questioning of Parties

The ~~hearing officer~~ institutional representative, reporting student (and/or attorney or nonattorney advocate), and ~~accused-responding~~ student (and/or attorney or nonattorney advocate) will be permitted to ask questions of each other.

Questions will also be permitted by the hearing officer and the Vice Provost's or designee, who may question either party.

The hearing officer and accused student (and/or attorney or nonattorney advocate) may be permitted to ask additional questions of each other.

6.5 Closing Statements

The accused student (and/or attorney or nonattorney advocate) All parties will have an opportunity for a closing statement.

6.6 ~~Deliberation and~~ Notice of Decision

If the hearing officer believes that suspension or expulsion is warranted, the hearing officer will make this written recommendation to the Vice Provost or designee. When the recommendation has been approved by the Vice Provost/designee, it will be returned to the hearing officer with the Vice Provost's/designee's endorsement, and the hearing officer will issue the written decision.

The hearing officer will provide written notice of findings decision to the responding student stating whether or not the Code of Student Conduct was violated. The written notice will include sanctions, and terms, and conditions for continued enrollment or re-enrollment, if any. The notice will generally be provided within 10 business days following the hearing. The Vice Provost may grant time extensions, if necessary.

10.7. Sanctions and Conditions

A sanction is a consequence placed upon any student for violations of specified University policies. Sanctions help define the student's relationship with the University in the context of current and potential future conduct, including a notice that further violations may lead to more severe conduct sanctions.

If a student is found not responsible for the alleged Code violation(s), no action will be taken against the accused-responding student; however, having been through the Code process, the student is considered knowledgeable regarding the Code's provisions and expectations, and that knowledge may be taken into consideration in the event of future Code actions.

In cases in which the student is found responsible for violating one or more policies, a sanction may be imposed. Sanctions may not include suspension or expulsion unless the student receives prior written notice that the case was serious enough to warrant suspension or expulsion. The sanctions listed below are assigned based on the severity of the incident and/or past conduct history:

1. ~~Written W~~arning,
2. Conduct probation,
3. Supervised conduct probation,
4. Conduct suspension, ~~or~~
5. ~~Conduct E~~xpulsion, ~~or~~
6. ~~Recommendation to the provost to withhold or rescind a degree.~~

~~Written decisions are generally rendered within 10 business days from the date of the hearing. In cases of code violations serious enough to warrant suspension or expulsion, the hearing officer will make a recommendation to the Vice Provost. When approval of the recommended sanction is received, the hearing officer will issue the written decision. Sanctions of suspension and expulsion are noted on students' academic transcript. The hearing officer will issue the written decision within 10 business days from the date of hearing. Sanctions of suspension are noted in the student's transcript throughout the duration of the suspension period, while sanctions of expulsion remain permanently.~~

When certain mitigating circumstances exist, such as an extended period of time between the incident and reenrollment, a finding of responsibility may result in no sanctions ~~required~~imposed.

With each sanction, terms and conditions and/or restorative actions may be assigned. In addition, notification may be given to other ~~U~~university officials as necessary. Terms and conditions include, but are not limited to:

1. Alcohol or other drug programming, evaluation and /or testing,
2. Written assignments,
3. Participation in a specific activity or project,
4. Restricted access,
5. Loss of privileges,
6. No contact orders,
7. Restitution, and/or
8. Confiscation.

In assigning a sanction and/or terms and conditions for inappropriate student conduct, the hearing officer, ~~in consultation with the Vice Provost designee,~~ will consider:

- a) Facts of the case as presented from all relevant sources, including the ~~accused~~responding student,
- b) Existence of any physical evidence or written or oral information provided by the ~~accused~~responding student and/or witnesses,
- c) Type and severity of the offense,

- d) Impact on the victim(s), the educational community and its members,
- e) Previous incidents of prohibited conduct committed by the accused student, and
- f) The ability and/or willingness of the student to accept responsibility.

[Parents or guardians of students under 21 may be contacted by an NDSU administrator following alcohol and/or other drug related incidents.](#)

7.1 Sanctions

Written Warning

A warning is a written notification that subsequent [Code](#) violations will normally result in more severe sanctions.

Conduct Probation

Conduct probation is a written notification of a specified period of review and observation during which the student must demonstrate the ability to comply with [U](#)niversity policies; local, state and federal laws; and any other terms or conditions that have been imposed in writing. The specific terms of the probation will be determined on a case-by-case basis. Further prohibited conduct may result in additional sanctions to be assigned, including, but not limited to, suspension or expulsion.

Supervised Conduct Probation

Supervised conduct probation generally requires meetings with a member of [the Division of Student Affairs or Residence Life](#) at regularly established intervals to monitor progress in behavioral, academic, social, vocational and other areas of the student's life necessary to strive for overall success at NDSU. The supervisor may assign educational tasks and/or projects as deemed necessary and appropriate to assist the student in personal growth. Further prohibited conduct may result in additional sanctions to be assigned, including, but not limited to, suspension or expulsion.

Conduct Suspension

Conduct suspension is a written notification of the termination of status as an enrolled student or registered student organization for a specified period of time not to exceed two academic years. In cases of crimes of violence, hate crimes, and/or Title IX related violations, the Vice Provost may specify a longer period of suspension.

- a) A student may not re-enroll during the period of conduct suspension.
- b) The student's eligibility for any refund of tuition/fees will be subject to the [U](#)niversity's normal withdrawal policy.
- c) The notice of conduct suspension will include the conditions for readmission that must be met prior to application for readmission. Students may obtain [a reactivation of student](#)

~~status (after absence) form~~[information regarding reactivation](#) from Registration and Records, Ceres Hall, or online through [One Stop](#). An interview with a member of the Student Affairs Office staff also will be required prior to acceptance of the student's application for readmission.

- d) ~~While a student is under conduct suspension from NDSU, no academic credit earned during the suspension period will be accepted for transfer from any other higher education institution at any time.~~The student's transcript will carry a notation "may not register for nonacademic reasons [<effective date range>](#)" without further explanation. ~~Upon completion of the suspension the notation will be removed by the University. If the student is subsequently readmitted, the original notation will remain on the transcript and a new notation will be added, "eligible for registration effective ..."~~
- e) A student who has been suspended must vacate residence life facilities within the time frame established in the written notice of the conduct suspension.
- f) In addition to being ineligible for enrollment, a student is also ineligible for employment with NDSU.
- g) There may be other restrictions placed on the suspended student including, but not limited to, restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities. The student also may be required to obtain prior written permission from a member of the Student Affairs Office staff before being on any portion of the NDSU campus during the period of suspension. Approval is generally granted only to permit a student to conduct business related to the [U](#)niversity.
- h) Conduct suspension is a ~~matter of~~ permanent [conduct](#) record. A permanent record indicates that student conduct files may be retained indefinitely at the discretion of the Vice Provost, but not less than seven (7) years.
- i) Student organizations placed on suspension may have all rights and privileges provided by CSO revoked for the duration of their suspension. In order to regain all rights and privileges, the student organization is required to comply with and complete any and all sanctions and terms and conditions.

[Conduct Expulsion](#)

Expulsion is a written notification that the student is permanently ineligible to return to the [U](#)niversity. The expulsion will be recorded on the student's transcript as "may not register for nonacademic reasons" and is a ~~matter of~~ permanent record.

[Conduct expulsion is a permanent conduct record. A permanent record indicates that student conduct files may be retained indefinitely at the discretion of the Vice Provost, but not less than seven \(7\) years.](#)

The student must leave [U](#)niversity residences and cease all use of [U](#)niversity owned or controlled buildings, properties and services as designated in the expulsion notice. The

expulsion notice will also include any other specific restrictions and a time frame during which these restrictions apply. These may include restricted access to the entire campus, specified campus facilities, or portions of specified campus facilities.

Written requests for exceptions to restrictions may be directed to the Vice Provost or designee; however, approval is generally only granted for the purpose of conducting official [University](#) business. Requests for readmission will not be approved.

Degree Rescission

~~If a person has been awarded an NDSU degree and it is subsequently discovered that the person committed a serious breach of this code while attending the university, the university may, upon separate proceedings, elect to rescind the degree. See Section 9.1, Registration/Graduation Hold, regarding graduation holds for similar reasons.~~

7.2 Conditions

Alcohol and Other Drug Programming, Evaluation, and/or Testing

A student may be required to participate in alcohol and other drug programming as a result of participating in any incident involving the use or abuse of alcohol and other drugs. The [University](#) reserves the right to require alcohol/drug testing and/or evaluation as a condition of enrollment or continued enrollment when:

- a) A student's conduct endangers or may endanger the safety of themselves, others, or property, and/or
- b) A pattern of conduct has been demonstrated by a student.

Written Assignments

Students may be required to complete written assignments as a means of reflecting and/or learning more about a particular topic.

Participation in a Specific Activity or Project

A student may be required to participate in a specific activity or project, such as public service; an educational class; and/or meeting with a designated [University](#) official or other assignment.

Restricted Access

Students may have access to [University](#) facilities and grounds restricted for a specified period of time. Restricted access may include but is not limited to entry into [University](#) facilities or athletic fields, access to specific [University](#) offices, and visiting and/or living in any [University](#) housing facility. Students found in violation of restricted access directives may be issued a trespass citation by University Police and may be subject to further conduct

action.

Loss of Privileges

A student may be denied various privileges associated with being a student at NDSU. Such privileges may include, but are not limited to, one or more of the following:

- a) Participating in or attending events sponsored by the [U](#)niversity or by students;
- b) Holding office in any [Congress of Student Organizations \(CSO\)](#) recognized student organizations;
- c) Receiving or being a guest in residence life facilities;
- d) Access to parts of or all [U](#)niversity property, including eligibility to reside in [U](#)niversity facilities;
- e) Receiving financial aid;
- f) Being employed by the [U](#)niversity;
- g) Representing the [U](#)niversity, including travel on behalf of the [U](#)niversity;
- h) Sponsoring or hosting organization or campus wide functions;
- i) Using IT services; and
- j) Maintaining recognized student organization status with the CSO.

No Contact Order

Students may be prohibited from direct or indirect physical and/or verbal contact with another individual or group. Reasonable restrictions to protect the safety and welfare of others may also be imposed. These include, but are not limited to, any and all forms of communication, access to [U](#)niversity owned or controlled locations, and specified minimum distances.

Restitution

A student may be required to repair, pay the cost for repair or pay for cost of replacement of any university or state property damaged by the student. In each case, the goal will be to return the damaged property to its existing condition at the time of damage. The determination of the method used to calculate restitution shall be the responsibility of the hearing officer, taking into consideration the fair market value or cost to repair the damaged item(s). In the case of personal injury, the responsible party may be required to cover the cost of medical care for others harmed as a result of the student's actions.

When available and appropriate, secondary markets may be utilized. The decision maker shall consider information and/or evidence provided by both parties to achieve a fair and just result. Failure to make timely arrangements for restitution may result in the cancellation of the student's registration, prevention of the student's re-registration, or more severe sanctions including, but not limited to, conduct suspension or expulsion. When the

responsible party is a student organization, additional sanctions or terms and conditions also may be assigned for failure to make timely arrangements for restitution.

Confiscation

In addition to items seized as evidence, goods used or possessed in violation of [U](#)niversity policies and/or local, state or federal laws, may be confiscated and not be returned to the student. This includes, but not limited to, falsified information or identification.

~~11.8.~~ 11.8. Appeal Procedures

Students sanctioned for violations of this [C](#)ode may make one appeal. Cases resulting in suspension or expulsion are appealed to the Vice Provost or designee. All other appeals are addressed to the Vice Provost or designee, or an administrator of Residence Life, depending upon who served as the hearing officer.

8.1 Deadline for Appeals

An appeal of any conduct process decision must be made in writing within five business days following the date the sanction notice is [sent-provided](#) to the student, ~~via the NDSU email account. When necessary to utilize U.S. mail, students will be afforded 10 business days from the date of letter to submit an appeal. If hand delivered, a notation of that date will be made in the student's conduct file.~~ In extraordinary circumstances, the Vice Provost may grant time extensions. The [U](#)niversity reserves the right, however, to reduce the time allowed for a student appeal in cases that may have the potential to result in harm to persons and/or property. The reduced time for appeal will be specified in the decision letter along with the rationale for allowing reduced time for an appeal. The appeal must be written by the student and shall contain the student's name, date of the decision or action, and reason(s) for the appeal.

8.2 Appeal ~~Letters~~ Documentation

Appeals must be submitted to the appeal officer specified in the decision letter [using the designated appeal form](#), ~~and The documentation~~ must specify in detail one or more of the following bases of appeal:

- a) The severity of the sanction was not consistent with the severity of the offense,
- ~~b) The decision was made in an arbitrary or capricious manner,~~
- ~~e~~b) The finding of the [C](#)ode having been violated [or not](#) was not substantiated by the evidence, and/or
- ~~d~~c) The student's [due process](#) rights [as outlined in this Code](#) were violated. Those rights believed to be violated must be specified.

Commented [MA10]: Will need to add a link when available

[In all cases involving an allegation of discrimination, harassment, retaliation, or sexual misconduct, the reporting party is also allowed to file an appeal within the same parameters identified above. In these cases an appeal could result in a different decision regarding the finding of responsible or not responsible and/or stronger, the same, or lesser sanctions than originally imposed.](#)

[A copy of an appeal will be given to the other party who will have the opportunity to respond. Students will have no more than 5 business days to submit their response to the other party's appeal, however, the response cannot include an appeal if the time period for appeal has already expired.](#)

8.3 Emergency Provisions

Normally a properly filed notice of appeal suspends the imposition of sanctions until the appeal is decided; however, some emergency provisions may be sustained throughout the appeal to protect persons and/or property. Such provisions will be explained in the original letter to the student outlining the decision, along with the rationale for maintaining those emergency provisions throughout the appeal.

8.4 Appeal Advisory Board

The appeal officer reserves the right to appoint an appeal advisory board to review appeals. In such instances, the appointed advisory board will make a recommendation that the appeal officer may accept or reject. The decision of the appeal officer will generally be issued within 10 business days of receiving the recommendation from the advisory board and that decision will be final.

8.5 Review

The appeal officer/advisory board will review the written ~~letter of appeal~~[appeal documentation/response to appeal](#) from the student(s) and materials from the original hearing, [including the recording](#). In reviewing the appropriateness of sanctions, the student's entire conduct file may be considered. After reviewing these materials, the appeal officer/~~advisory board~~ may decide to do one of the following:

- a) Issue a decision based solely on the ~~written materials~~[evidence](#),
- b) Issue a decision based on a review of ~~written materials~~[evidence](#) and discussion with the involved principals,
- c) Recall one or more witnesses,
- d) Return the case to the ~~body~~[hearing officer](#) conducting the original hearing for presentation of new evidence and reconsideration of the decision and/or sanctions.

8.6 Decision/Sanction

When the ~~accused-reporting~~ student ~~makes the~~ appeals, the appeal officer/~~advisory board~~ may uphold or ~~lessen-change~~ the original decision/sanction-. ~~When the responding student appeals, the appeal officer may but~~ not increase the sanctions/actions imposed by the hearing officer. The decision on the appeal will generally be made within 10 business days of receipt of the appeal, but may take longer during ~~U~~university recesses or in the event of complex cases, ~~or when an advisory board has been appointed to make an appeal recommendation.~~

~~8.7~~ Appeals by Accuser

~~An appeal by the accuser may only be allowed when it is alleged that the accuser was the subject of a Title IX violation, including sexual assaults, as defined in this code. In some cases, an accuser's appeal could result in a different decision and/ or stronger sanctions than originally imposed.~~

Commented [MA11]: Moved to end of Section 8.2

8.7.8 Rehearing Requests for Cases Resulting in Suspension or Expulsion

Any student who is suspended or expelled has the right to request a reconsideration of the case based on new or contradictory evidence that was not available at the time of the original ~~decisionhearing~~, and/or evidence that the student was not afforded due process as outlined in this Code. A request for reconsideration of the case should be submitted to the Vice Provost. Information that may be considered may include police reports, transcripts of legal proceedings and the outcome of any civil or criminal proceeding directly related to the appeal.

~~12.9.~~ Special Circumstances and Conditions

9.1 Registration/Graduation Hold

- a) If a student (new, current or returning) fails to respond to a request to meet to discuss an alleged violation of this ~~Ce~~code, or fails to comply with sanctions or terms and conditions assigned as a result of being found responsible for a violation of this ~~Ce~~code, a hold may be placed on the student's eligibility to register or the student's current registration may be canceled. If registration is canceled, eligibility for any refund of tuition/fees will be subject to the ~~U~~university's withdrawal policy.
- b) Students may not be permitted to graduate or officially withdraw from NDSU while disciplinary action is pending. If the student withdraws before NDSU becomes aware of the potential violation of this ~~Ce~~code, the student's academic records may be placed on hold and the allegations must be resolved prior to the student's readmission.

9.2 Returning and/or New Students

If a student commits an act that violates this ~~Ce~~code during a period of nonenrollment, a registration hold may be placed to prevent the student's registration until a hearing may be

held on that matter. The student may be notified about these holds at the time the [Uu](#)niversity is first notified about the incident, or notice may be provided when the student subsequently requests enrollment. In addition, a hearing officer, in consultation with the Vice Provost or designee, may place a registration hold to deny a student the eligibility to register. Reasons may include, but are not limited to, the student's arrest or when criminal charges are pending against the student, serious concerns arise about the health or safety of the student or others in the [Uu](#)niversity community, and/or as otherwise provided by [NDSU Policy 607. Admission & Re-Enrollment Safety Risks: Background Checks](#).

9.3 Temporary Emergency Suspension

A student may be temporarily suspended by the Vice Provost, pending a hearing when the student's actions or threats of action indicate a serious threat to the welfare and/or safety of persons or property. No hearing will be required before a temporary suspension is imposed; however, one will be convened within five business days following the suspension. [In unique circumstances, any alteration to this timeline will be at the discretion of the Vice Provost.](#) If the suspension is upheld, the suspension remains subject to the rules outlined in Conduct Suspension (see Section 7.1, Sanctions) and remains a matter of permanent [conduct](#) record. Conditions under which emergency suspension may be imposed:

- a) To ensure the health, safety or well-being of members of the [Uu](#)niversity community,
- b) To preserve [Uu](#)niversity property,
- c) To ensure the suspended student's ~~own physical and emotional~~ safety and well-being, or
- d) To ensure against the disruption of, or interference with, the normal operations of the [Uu](#)niversity.

~~9.4 Conditions Under Which Temporary Emergency Suspension May Be Imposed:~~

- ~~a) To ensure the health, safety or well-being of members of the university community,~~
- ~~b) To preserve university property;~~
- ~~c) To ensure the suspended student's own physical and emotional safety and well-being, or~~
- ~~d) To ensure against disruption of, or interference with, normal operations of the university.~~

~~No hearing will be required before emergency suspension is imposed; however, one will normally be convened within five business days following the suspension. In unique circumstances, any alteration to this timeline will be at the discretion of the Vice Provost. If the suspension is upheld following the hearing, the suspension remains subject to the rules outlined in Conduct Suspension (Section 7.1, Sanctions) and remains a matter of permanent record.~~

9.4 Negotiated Withdrawal

[In rare circumstances, a student may be allowed to negotiate a mutually agreed upon](#)

withdrawal for a specified period of time. Other conditions may also need to be met prior to application for reenrollment. Such conditions will be provided to the student in writing at the time of the negotiated withdrawal.

This action generally results in no notation on the student's academic transcript; however, in instances involving interpersonal violence or felony level criminal conduct, charged or uncharged, a transcript notation may be applied at the discretion of the Vice Provost or designee, "may not register for nonacademic reasons." The Vice Provost or designee will determine whether this notation will remain on the transcript, should the student later be readmitted.

A student requesting readmission will be required to meet with the Vice Provost or designee prior to approval of the student's petition for readmission. The student must be academically eligible for readmission to NDSU and may be required to pass a criminal background check at the student's expense prior to readmission.

9.5 Administrative Withdrawal **for Psychiatric Reasons**

A student may be subject to administrative withdrawal if it is determined by clear and convincing evidence that the student suffers from a mental disorder as defined by the current American Psychiatric Association Diagnostic Manual and, as a result of such a disorder, engages or threatens to engage in -conduct that:

- a) Poses a significant danger of causing imminent threat of harm to the student self or others, or
- b) Directly and substantially impedes the lawful activities of other members Poses a threat of disruption of, or interference with, the normal operations of the campus-University community.

Consideration will be given first to use of normal conduct processes of counseling, voluntary withdrawal, use of state commitment laws, or use of other alternatives whenever appropriate.

Students wishing to return to the University may obtain information regarding reactivation from Registration and Records, Ceres Hall, or online through One Stop. An interview with a member of the Student Affairs Office staff also will be required prior to acceptance of the student's application of readmission.

Conduct Violations

A student accused of violating this code may not be subject to the conduct process if the

Commented [MA12]: Inserted readmission procedure per Chris Wilson

student, as a result of a mental disorder:

- a) — Lacks the capacity to respond to pending conduct charges, or
- b) — Lacks the capacity to know the nature or wrongfulness of the conduct at the time of the offense. Students subject to conduct charges who wish to introduce relevant evidence of any mental disorder must so inform the Vice Provost in writing at least two business days prior to any conduct hearing. The Vice Provost may elect to appoint a designee to act in administering this policy. If the Vice Provost determines that the evidence may have merit, the case will then be resolved in accordance with these standards and procedures. If it is determined the student does not meet the criteria mentioned above, the case will be returned to the conduct process.

Evaluation Referral

The Vice Provost may refer a student for an evaluation by an independent, licensed psychiatrist or psychologist chosen by the institution if the Vice Provost reasonably believes the student may meet the criteria in Section 9.4, Conditions Under Which Temporary Emergency Suspension May Be Imposed, or if a student subject to conduct charges wants to introduce relevant evidence of any mental disorder. A student referred for evaluation will be informed in writing by NDSU email and the evaluation must be scheduled no later than five days from the date of the referral letter. The evaluation will be at the student's expense. If a student fails to complete an independent evaluation, he or she may be subject to the conduct process or an immediate interim withdrawal.

Interim Withdrawal

As stated above, an interim withdrawal may be implemented if a student fails to complete an evaluation with a licensed psychologist or psychiatrist. Also, an interim withdrawal may be undertaken immediately if the Vice Provost determines a student may be suffering from a mental disorder, and the student's conduct poses an imminent danger.

A student subject to interim withdrawal shall be given written notice and may be assisted throughout this process by an individual of his or her choice. The student, whether or not an evaluation has been completed, shall be given the opportunity to appear personally before the Vice Provost within 72 hours of the effective date of the interim withdrawal to review:

- a) — Reliability of the information concerning the student's conduct, and
- b) — Whether the student's conduct poses an imminent danger.

During an interim withdrawal, the Vice Provost may place restrictions including, but not limited to, class attendance and use of campus services and facilities.

Involuntary Withdrawal

A student under consideration for involuntary withdrawal will be accorded an informal conference with the Vice Provost or designee. The informal conference will be held within seven business days after an evaluation by a licensed psychologist or psychiatrist has been completed. Prior to the informal conference, the Vice Provost and the student will have an opportunity to review independently the psychological or psychiatric evaluation.

- a) The Vice Provost conducts informal conference proceedings. An individual of his or her choice may assist the student in the informal conference. The student will remain withdrawn on an interim basis pending completion of the informal conference.
- b) A written decision shall be rendered by the Vice Provost containing a statement of reasons for any determination leading to involuntary withdrawal. The student also should be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement. The student may appeal the decision to the Vice Provost.

9.6 Negotiated Withdrawal

In rare circumstances, a student may be allowed to negotiate a mutually agreed upon withdrawal for a specified period of time. Other conditions may also need to be met prior to application for reenrollment. Such conditions will be provided to the student in writing at the time of the negotiated withdrawal.

This action generally results in no notation on the student's academic transcript; however, in instances involving interpersonal violence or felony level criminal conduct, charged or uncharged, a transcript notation may be applied at the discretion of the Vice Provost or designee, "may not register for nonacademic reasons." The Vice Provost or designee will determine whether this notation will remain on the transcript, should the student later be readmitted.

A student requesting readmission will be required to meet with the Vice Provost or designee prior to approval of the student's petition for readmission. The student must be academically eligible for readmission to NDSU and may be required to pass a criminal background check at the student's expense prior to readmission.

9.76 Interim Actions

In the interest of safety and security, interim actions may be implemented by the Vice Provost prior to a completed investigation or conduct hearing. Specific actions will be based on the circumstances of the allegations and may include, but not limited to no contact orders, housing/workplace changes, loss of privileges, or temporary emergency suspension.

9.87 Crimes of Violence

The term "crime of violence" means:

Commented [MA13]: Moving to precede 9.5 Administrative Withdrawal because we usually try for a Negotiated Withdrawal first and resort to an Administrative Withdrawal if that doesn't happen.

- a) An offense that has an element of use, attempted use, or threatened use of physical violence against the person or property of another, or
- b) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

Examples include, but are not limited to, arson, auto theft, assault, aggravated assault, burglary, kidnapping/abduction, manslaughter, murder, resisting arrest through the use or threat of physical force, robbery, vandalism, and sexual offenses.

In cases of crimes of violence, the Vice Provost may increase, but not decrease, timelines stated in the [Code](#) and may determine by whom the case is heard.

9.98 Notification of Hearing Outcomes for Crimes of Violence

Individuals who are victims of crimes of violence have a right to be notified of the outcome of complaint resolution procedures, upon written request to the Vice Provost. If the victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Notification shall be limited to the responsible student(s), part(s) of the [Code](#) violated, and assigned sanction(s). Individuals in receipt of this information may assume personal civil liability for releasing this information to others.

9.10 Incarcerated Students

~~In cases involving incarceration, a hearing will be held when the student is available for a hearing. Under these circumstances, the Vice Provost or designee may determine that an administrative hearing be held rather than a Conduct Board hearing.~~

Commented [MA14]: Chris Wilson inquired about the plan for incarcerated students. – Incarcerated students fall under Section 9.1.

16.10. Conduct Records

10.1 Disclosure

All conduct records are confidential and may not be disclosed in whole or in part except as provided under law, including but not limited to, the Family Education Rights and Privacy Act (FERPA), the USA Patriot Act and lawful court orders.

The conduct record shall be separate from the student's academic record, but shall be considered a part of the student's educational record. All conduct records shall be retained in the Student Affairs Office or other offices as authorized by the Vice Provost.

As provided under FERPA, information concerning [Code](#) violations for alcohol and/or drugs

may be shared with parents [in accordance with the Parental Notification Policy](#). In addition, [Code](#) violations may also be shared with some academic departments upon request and as necessary to fulfill their professional obligations. A [memorandum of understanding procedure](#) exists [between Student Affairs and Athletics](#) that provides for full exchange of information concerning [Code](#) violations by student athletes with the pertinent [coaches athletic personnel](#) and the Athletic Director.

~~Suspension and expulsion are the only completed conduct actions reflected on the official academic transcript of the student (see section 7.1, Sanctions). At the direction of the Vice Provost, the registrar shall place on the student's permanent academic record the words "may not register for nonacademic reasons." When the student is determined eligible to return to NDSU following a suspension, the original transcript notation will remain and a new transcript notation will be added: "eligible for registration effective"~~

10.2 Retention and Destruction

Sanctions Less than Suspension or Expulsion

In cases in which students are found in violation and receive a sanction less than Suspension or Expulsion, with or without additional terms and conditions, all records related to that students' cumulative conduct history will be retained for seven years from the date of the student's last conduct violation. Student conduct records may be retained indefinitely at the discretion of the Vice Provost.

Suspension or Expulsion

In cases in which students are found in violation and receive a sanction of suspension or expulsion, conduct records will be retained on a permanent basis.

Student Organization Records

Records of conduct violations involving student organizations will be retained for seven years following the date of the incident. Student organization conduct records may be retained indefinitely at the discretion of the Vice Provost.

FINAL NOTE Occasionally there may be a need to update certain details such as changes to staff titles, office locations, etc. that are mentioned in this document. The Vice Provost may make editorial changes relating to this document as long as the substance of the document is not affected.

There are a number of additional [U](#)niversity policies that pertain to students and are too numerous to include within the text of this [Code](#). Students are urged to read these documents that may be found at the locations listed below. NDSU students are responsible for knowing the contents of [these all NDSU](#) policies and may be held accountable under A Code of Student Conduct for any

violations of [these policies](#) policy. For assistance using any of these policies, please contact the Student Affairs Office.

Related University Policy Statements

1. [Bank and Investment Accounts for Student Organization Bank Accounts](#)
2. [NDSU Policy 703, NDSU Card Terms and Conditions](#)
3. [NDSU Policy 162.1, Consensual Relationships](#)
4. [License Agreement for Residence Halls](#)
5. [SBHE Policy 506.1, Immunization: TB Testing](#)
6. [Federally Mandated Sexual Assault Prevention Training](#)
8. [SBHE Policy 401.2, Political Activities](#)
9. [License Agreement for University Apartments](#)
10. [NDSU Policy 154.1, Sale or Distribution of Racially and Sexually Offensive Material](#)
11. [Student Organization Guidelines and Procedures](#)

Related University Policy Statements	Website
1. Academic dishonesty Code of Academic Responsibility and Conduct	www.ndsu.edu/fileadmin/policy/335.pdf
2. Academics freedom (ND State Board of Higher Education Policy #401.1	www.ndus.edu/makers/procedures/sbhe/default.asp?PID=77&SID=5
3-1 Bank and Investment Accounts for Student Organization Bank Accounts	www.ndsu.edu/accounting/bi_accounts/stdntorgs/
4-2. NDSU Card Terms and Conditions Policy	www.ndsu.edu/fileadmin/policy/703.pdf
5. Conflict of interest, NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/151.pdf
6-3 Consensual Relationships, NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/162_1.pdf
7. Due process requirements	www.ndus.edu/makers/procedures/sbhe/default.asp?PID=746&SID=6
8. Eligibility for participation in co-curricular activities	www.ndsu.edu/student_life/policies_and_forms/eligibility_for_participation_in_co_curricular_activities/
9. Employment, chapter 1 of the NDSU Policy Manual	www.ndsu.edu/policy
10. Equal opportunity grievance procedures	http://www.ndsu.edu/fileadmin/policy/156.pdf
11. Fitness for duty, NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/161.pdf
12 License Agreement for Residence Halls	www.ndsu.edu/fileadmin/reslife/Misc/NDSU_License_17-18.pdf
13. Grade appeals board	www.ndsu.edu/fileadmin/policy/337.pdf

14.	Graduate college Policies	https://bulletin.ndsu.edu/graduate/policies/
15.	<u>Immunization; TB Testing, NDUS Policy 506.1</u>	www.ndus.edu/makers/procedures/sbhe/default.asp?PID=74&SID=6
16.	NDUS procedures 1901.2—Computer and network usage	www.ndus.edu/makers/procedures/sbhe/default.asp?PID=126&SID=11
17.	<u>Parental Notification Policy</u>	www.ndus.edu/makers/procedures/sbhe/default.asp?PID=126&SID=11
18.	<u>Political Activities, NDUS Policy 401.2</u>	www.ndus.edu/makers/procedures/sbhe/default.asp?PID=78&SID=5
19.	Public/open records, NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/718.pdf
20.	Purchasing policies for student organizations, NDSU policy Manual	www.ndsu.edu/fileadmin/policy/400.pdf
21.	<u>License Agreement for University Apartments</u>	www.ndsu.edu/fileadmin/re/relife/Misc/2017-2018_Apartment_License_Agreement_-_FINAL.pdf
22.	Resident tuition law and guidelines (ND State Board of Higher Education Policy #504)	www.ndus.edu/makers/procedures/sbhe/default.asp?PID=72&SID=6
23.	<u>Sale or Distribution of Racially and Sexually Offensive Material Policy</u>	www.ndsu.edu/fileadmin/policy/154_1.pdf
24.	Sexual misconduct and Title IX compliance	www.ndsu.edu/fileadmin/policy/603.pdf
25.	Smoke free facilities, NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/153.pdf
26.	Student Affairs related policies, chapter 6 of the NDSU Policy Manual	www.ndsu.edu/policy
27.	Student records: Notification of rights under FERPA	https://www.ndsu.edu/registrar/records/ferpa/
28.	Teaching policies, chapter 3 of the NDSU Policy Manual	www.ndsu.edu/policy/section_3_non_banded_staff_employment_faculty_and_other/
29.	Traffic and safety/university policy, NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/706.pdf
30.	Transportation and motor pool. NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/709.pdf
31.	<u>Tri-College University</u>	www.ndsu.edu/fileadmin/mu.ndsu.edu/Q9SAO/Tri-College_Dual-College_Organization_Recognition.doc
32.	University policy on anti-harassment	www.ndsu.edu/fileadmin/policy/163.pdf
33.	University policy on equal opportunity	www.ndsu.edu/fileadmin/policy/100.pdf
34.	University policy on sexual harassment	www.ndsu.edu/fileadmin/policy/162.pdf
35.	Use of university name	www.ndsu.edu/fileadmin/policy/700_1.pdf
36.	Webpage development policies, NDSU Policy Manual	www.ndsu.edu/fileadmin/policy/710_1.pdf

8/11/17

HISTORY:

New	
Amended	September 27, 1999
Amended	May 31, 2011
Amended	August 23, 2014
Amended	September 18, 2015
Housekeeping	October 6, 2015
Housekeeping	June 23, 2017

Attachment 6

Policy 130 Version 1 9/6/17

Policy Change Cover Sheet

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



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

SECTION: **130 Annual Leave**

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes No
 - During Time, Labor, and Absence Management (TLAB) NDUS System Office provided feedback that there were too many instances where leave without pay was being used when employees had available annual leave balance available to use. Also indicated that majority of leave without pay instances for less than 1 day did not appear consistent with NDSU's Policy 149 for purposes outlined.
 - Policy 149 Leave Without Pay:
 - "Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters."
 - With the implementation of TLAB, when leave is taken in less than 1 day increments it causes leave accruals to be inaccurate, resulting in a need to manually go in and adjust.
2. This policy change was originated by (individual, office or committee/organization):
 - Human Resources and Payroll 9/6/17
 - Noah.fischer@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 9/14/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 130 ANNUAL LEAVE

SOURCE: NDUS Human Resources Policy Manual, Section 6
NDSU President

1. Annual leave with pay is earned by eligible employees for the purpose of freeing them from their regular duties to spend time in rest and recreation or to attend to personal matters. Upon approval, annual leave may only be used in place of regularly scheduled work hours and shall not cause overtime. Such leave should be programmed to insure that leave is taken rather than carried forward from year to year.
2. University operations govern annual leave periods. Consideration is given first to the convenience of the administration, departmental needs, then the employee's departmental seniority and finally to the employee's preference. Annual leave is computed on the basis of the employee's hours/week, and months/year.

2.1 The employee must obtain authorization from his/her department head before taking annual leave. The form of this authorization is to be determined by the respective department head.

2.2 The employee is responsible for furnishing a leave request to their supervisor or department head ~~with a completed "Notification of Employee Leave" card~~ upon returning to work.

2.3 The employee is required to use applicable accrued annual and compensatory time before authorized leave without pay. Leave without pay must be taken in full day increments.
2-2

3. Annual leave with pay for full-time benefited, broadbanded staff employees is earned on the basis of continuous service from date of employment as follows:

First through third year - the equivalent of 12 days per year
Fourth through seventh year - the equivalent of 15 days per year
Eighth through twelfth year - the equivalent of 18 days per year
Thirteenth through eighteenth year - the equivalent of 21 days per year
Over eighteen years - the equivalent of 24 days per year

Annual leave for full-time, non-banded employees in the following job categories is earned on the same basis as for staff employees: graduate research fellows (2230), graduate teaching fellows (2235), post doc research fellows (2240), research scientists (2420), extension program assistants (2530), and international exchange scientists (2810).

Graduate teaching, research or service assistants and experiment station project assistants do not earn annual leave.

- 3.1 Years of service shall be computed from the employment anniversary dates.

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3.2 Annual leave for part-time staff employees and the non-banded employees identified above in 3 is earned on a prorated basis.

4. Presidents, executive deans, provosts, vice presidents, positions excluded from the broadbanding system, and other positions approved by the President or chancellor at the time of hire are entitled to accrue a minimum of twelve working days and a maximum of 24 working days of annual leave each year to be taken at the convenience of the administration. Accrual rates for these employees are determined by the institution president. For any of these employees who are less than full-time, the annual leave will be prorated.

Each department may negotiate annual leave accrual on a case-by case basis during the recruitment, with prior Presidential approval. Current benefitted employees are not eligible.

5. Annual leave for 12 month faculty and other non-banded job categories not identified in #3 above is earned at the rate of 16 hours per month, 24 days per year. Annual leave will be prorated for those who are less than full-time. For non-banded employees on 9, 10, or 11, month appointments, see Section 320.
6. All eligible employees may accumulate annual leave hours. Full-time employees may accumulate up to 30 working days or 240 hours which shall be carried forward on January 1st of each year. Part-time employees may accumulate up to the equivalent number of days or hours on a prorated basis. Any accumulation in excess of 30 days or 240 hours (or the equivalent on a prorated basis for part-time employees) on December 31st of each year shall be cancelled.
7. All employees eligible to accumulate annual leave must take at least forty hours (or the equivalent on a prorated basis for part-time employees) of annual leave each year, except for the year during which they are hired.
8. When a holiday occurs during annual leave, the holiday is not considered a day of annual leave time.
9. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll or designee, an employee may be granted annual leave in advance of the accumulation thereof up to a maximum of 40 hours. In rare cases, such as leave due to a workers compensation claim or shared leave, the HR/Payroll office may process leave which exceeds the 40 hour advance. Annual leave taken in advance of accumulation may be deducted from the employee's last paycheck provided the employee has signed an agreement authorizing the deduction. This agreement must be submitted to and approved by the Office of Human Resources and Payroll prior to the employee obtaining a negative accrual balance.
10. Benefitted employees terminating employment must be paid for earned unused annual leave subject to all approved payroll matched reductions/deductions. "Unused annual leave" shall include any leave carried over from the previous year and all accrued leave up to the date of termination. Proper termination notice must be given and any unearned annual leave taken shall be deducted from the employee's last paycheck.
 - 10.1 Annual leave earned by an employee on a 12 month appointment may not be carried forward by the employee to be used or paid for during the term of a subsequent appointment for less than 12 months and must be paid out.
11. In case of death, payment of all earned, unused annual leave shall be paid according to Section 34-01-12 of the North Dakota Century Code. (See Section 183.)

12. Accrued annual leave for employees previously employed with other North Dakota institutions or agencies may be transferred to institutions under the State Board of Higher Education according to agreements between the employee and the institution. If re-employment occurs within one calendar year, the re-employing institution shall credit the employee with prior years of service from any state agency in computing annual leave accrual rate.
13. When employment begins or ends during a pay period, the accrual of annual leave shall be prorated for the pay period when the employee is hired or terminated and does not work a full pay period.
14. Leave requests are processed on an on-going basis. The approving supervisor is responsible for verifying leave balances before approving. Corrections to leave will be handled by the Office of Human Resources and Payroll.

HISTORY:

New	July 1990
Amended	April 1996
Amended	March 1998
Amended	October 1999
Amended	April 2002
Amended	October 2003
Amended	March 2006
Housekeeping	April 2010
Housekeeping	May 15, 2012
Housekeeping	April 11, 2013
Housekeeping	July 12, 2013
Amended	March 26, 2014
Amended	November 7, 2014
Amended	June 22, 2015
Housekeeping	March 31, 2017

Attachment 7

Policy 143 Version 1 9/6/17

Policy Change Cover Sheet

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



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

SECTION: **143 Sick Leave**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - During Time, Labor, and Absence Management (TLAB) NDUS System Office provided feedback that there were too many instances where leave without pay was being used when employees had available sick leave balance available to use. Also indicated that majority of leave without pay instances for less than 1 day did not appear consistent with NDSU's Policy 149 for purposes outlined.
 - Policy 149 Leave Without Pay:
 - "Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters."
 - For serious health conditions, leave is typically designated as Family and Medical Leave act Eligible. NDSU Policy 135 FMLA states "an employee is required to use applicable, accrued paid and donated leave and compensatory time before authorized unpaid FMLA leave."
 - With the implementation of TLAB, when leave is taken in less than 1 day increments it causes leave accruals to be inaccurate, resulting in a need to manually go in and adjust.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Human Resources and Payroll 9/6/17
 - Noah.fischer@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 9/14/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 143 SICK/DEPENDENT LEAVE

SOURCE: NDSU PRESIDENT
NDUS Human Resource Policy Manual

1. Sick leave, including maternity, is a benefit granted by the University to eligible employees and is not a benefit considered to be earned by the employee such as annual leave. It is an insurance benefit allowing employees to build a reserve of days they can use for their extended illnesses. *Abuse of this benefit may be grounds for disciplinary action or termination.* Employees are responsible for informing their supervisors prior to the start of their work schedule of their sickness.

1.1 The employing department may require satisfactory medical verification as deemed necessary by the department head prior to the payment of sick leave.

1.2 The employee is responsible for furnishing [a leave request to](#) their supervisor or department head ~~with a completed "Notification of Employee Leave" card~~ upon returning to work.

[1.3](#) Sick leave may only be used in place of regularly scheduled work hours and shall not cause overtime.

~~1.3~~ [1.4](#) The employee is required to use applicable accrued sick and compensatory time before authorized leave without pay. Leave without pay must be taken in full day increments.

2. Sick leave is granted on the basis of continuous service from date of employment for benefited staff employees, *and benefited 12-month academic staff and other non-banded staff.*

3. Sick leave for full-time eligible employees accrues based on rate per hour at a rate equivalent to 12 days per year. Sick leave for eligible part-time employees working 20 hours or more per week is granted on a prorated basis. Sick leave accumulation is unlimited.

4. Sick leave may be granted to employees who become ill while on vacation provided satisfactory medical proof of such illness is submitted.

5. When a holiday occurs during a paid sick leave, the holiday is not considered a day of sick leave.

6. Upon termination, employees with ten years of continuous state service will receive a payment equivalent to 10% of the dollar value of their accrued sick leave. The amount is computed on the basis of the employee's salary at the time of termination and shall be in the form of a lump-sum payment.

7. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll or designee, an employee may be granted sick leave in advance of the

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accumulation thereof up to a maximum of 40 hours. In rare cases, such as leave due to a workers compensation claim or shared leave, the HR/Payroll office may process leave which exceeds the 40 hour advance.. Sick leave taken in advance of accumulation may be deducted from the employee's last paycheck provided the employee has signed an agreement authorizing the deduction. This agreement must be submitted to and approved by the Office of Human Resources and Payroll prior to the employee obtaining a negative accrual balance.

8. *Unless an approved leave of absence has been granted, an employee who is off the payroll for one year shall lose unused sick leave.*
9. Accrued sick leave is transferable from any state agency to the employing institution if employment with the institution occurs within one calendar year of separation of service with the state agency. In the event of a Reduction in Force, sick leave is transferable if reemployment occurs within two calendar years.
10. Sick leave may be used by the employee when:
 - 10.1 The employee is unable to work due to a mental or physical condition (including maternity).
 - 10.2 The employee has an appointment for the diagnosis or treatment of a medically related condition.
 - 10.3 The employee wishes to attend to the needs of an eligible family member who is ill or to assist them in obtaining other services related to their health. Eligible family members include the employee's spouse, parent (natural, adoptive, foster, and step-parent); child (natural, adoptive, foster, and step-child); or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family member.
 - 10.4 Sick leave used for the purposes described in 10.3 shall not exceed eighty (80) hours per calendar year.
 - 10.5 In the case of a serious health condition of an eligible family member, an employee may take up to a total of four-hundred-eighty (480) hours of sick leave in any twelve-month (12) period, including the eighty (80) hours in section 10.4 above.
 - 10.6 The employee is caring for a newborn child or for a child placed with the employee, by a licensed child-placing agency, for adoption or as a precondition to adoption, but not both. Sick leave in such cases is limited to six (6) weeks during the first six (6) months from birth or placement.
 - 10.7 The employee seeks for oneself or to assist a parent, child, spouse, sibling, or any other individual who regularly resides in the household or who within the prior six months regularly resided in the household, with the consequences of domestic violence, a sex offense, stalking, or terrorizing. Sick leave may be used to seek legal or law enforcement remedies; treatment by a health care provider for physical or mental injuries; obtain services from a domestic violence shelter, rape crisis center, or social services program; obtain mental health counseling; and participate in safety planning, relocation or other actions to increase the employee's or immediate family member's safety from future domestic violence, a sex offense, stalking or terrorizing. The immediate supervisor may limit the use of sick leave for this section to forty (40) hours per calendar year.

11. *The accrual of sick leave shall be prorated for the pay period in which employment begins or ends.*

12. *Sick leave is not accrued during developmental leaves or leaves of absence without pay.*

13. *Accumulated sick leave may be used for any period(s) of actual disability caused or contributed to by pregnancy. Beyond the period of disability, an employee may request use of annual leave, family leave, and/or leave without pay to provide for an extended post-delivery period away from work.*

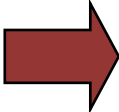
14. *Leave requests are processed on an on-going basis. The approving supervisor is responsible for verifying leave balances before approving. Corrections to leave will be handled by the Office of Human Resources and Payroll.*

HISTORY:

New	July 1990
Amended	April 1992
Amended	July 1997
Amended	April 2002
Amended	January 2004
Amended	November 2005
Amended	January 2007
Amended	March 2008
Amended	November 7, 2011
Housekeeping	July 12, 2013
Amended	October 5, 2015
Housekeeping	March 31, 2017

Policy Change Cover Sheet

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SECTION: 149 Leave Without Pay

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

- Is this a federal or state mandate? Yes No
- During Time, Labor, and Absence Management (TLAB) NDUS System Office provided feedback that there were too many instances where leave without pay was being used when employees had available sick leave balance available to use. Also indicated that majority of leave without pay instances for less than 1 day did not appear consistent with NDSU’s Policy 149 for purposes outlined.
- Policy 149 Leave Without Pay:
- “Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee’s expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters.”
- With the implementation of TLAB, when leave is taken in less than 1 day increments it causes leave accruals to be inaccurate, resulting in a need to manually go in and adjust.
- The revisions clarify that leave without pay be requested in full day increments, and that if an employee has applicable paid leave to use, it be used prior to requesting leave without pay.

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

- Human Resources and Payroll 9/6/17
- Noah.fischer@ndsuh.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 149 LEAVE WITHOUT PAY

SOURCE: SBHE Policy Manual, Section 701.1

1. Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters. [Leave without pay must be requested in full day increments.](#)
2. Requests for leave without pay for the President shall be approved by the Board. Requests for leave without pay for institution employees shall be approved by the institution president or designee.

All Employees

In cases where a leave without pay is requested due to sickness, the employee may be requested to provide medical certification to verify the existence of a health condition including date of commencement and probable duration of the illness. [An employee is required to use applicable, accrued paid and donated leave and compensatory time before requesting leave without pay.](#)

Broadbanded Employees

Leave without pay for a period of less than 21 working days may be authorized by the department head. Leave without pay for 21 or more working days requires advance approval of the appropriate vice president and should be requested through the Office of Human Resources/Payroll.

Leave may not be granted for a period in excess of one calendar year, except for military service. Failure of an employee to report for duty or reinstatement on expiration of leave granted is cause for automatic termination.

Externally Funded Research Faculty

Research faculty (so designated by their titles) who are funded totally on externally generated funds may, when their project and funding are completed, request a leave without pay while they submit proposals for additional funding. Such a leave must be approved as other leaves without pay but allows the research faculty member to retain their research faculty title and use it when submitting funding proposals. Research faculty applying for a leave without pay under these circumstances should follow the NDSU Guidelines below but use the [Leave Without Pay form](#), located on the Provost's web page.

3. An employee who is on an approved leave of absence without pay may continue to be covered by employer benefits (health, basic life and employee assistant program) and/or voluntary benefits (optional life, dental, etc.) provided:

- a) the employee remits the appropriate premium(s) to the Human Resources/Payroll Office,
 - b) such coverage is not inconsistent or contrary to insurance contracts, and
 - c) such coverage would not be contrary to State law.
4. Leave of absence shall be granted with assurance of reinstatement to the same position or to other employment in the department recommending the leave unless circumstances make it clearly impractical.
 5. Employees on leave without pay shall retain their year's service rights and accumulated benefits but shall earn no additional benefits.
 6. **NDSU Guidelines** Proposals for leave of absence without pay shall be in writing and submitted on the University's [Leave Without Pay form](#) (located on the Provost's web page) for approval through appropriate channels. An individual requesting a leave without pay for a reason other than illness should inform the department chair or unit administrator at least six months prior to the anticipated leave and submit the request for administrative approval at least three months prior to the leave.

No proposal for leave without pay shall be approved unless the employee agrees, in writing, to provide notification to the University by a specific date of the employee's resignation or of the employee's intent to return to NDSU. The date is to be negotiated prior to approval of the proposal. Failure by the employee after a specific request by the responsible supervisor to either provide the notification of the intent to return or to submit a resignation by the required date shall be deemed to be a resignation.

HISTORY:

New	March 13, 1987
Amended	April 1995
Amended	October 1996
Amended	October 1998
Amended	April 2002
Amended	April 2006
Housekeeping	August 7, 2014

Attachment 9

Policy 156 Version 1 08/17/2017

Policy Change Cover Sheet

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



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

SECTION: Policy 156 Discrimination, Harassment, and Retaliation Complaint Procedures

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change: Changes to maintain compliance with federal Title IX regulations, state law, and internal organizational changes. Added information from Policy 603 so that procedure is now contained in one policy.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office of the Provost
 - Canan Bilen-Green canan.bilen.green@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: Will go to the 9/14/17 SCC meeting for information only due to the need to expedite these changes

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 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 **Equity Director** – For purposes of these procedures, the Equity Director is NDSU's Vice Provost and Title IX/ADA Coordinator.
- 2.4 **Equity Office** – For purposes of these procedures, the Equity Office is NDSU's Office of the Vice Provost for Faculty and Equity.
- 2.5 **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, 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 Equity Director. The Complaint Form is available online at <https://www.ndsu.edu/equity/forms/> or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. [The Complaint Form is also available in the Student Affairs Office, Memorial Union 250, NDSU Main Campus, 701-231-8240.](#) The Complaint Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equity Office. The Equity Office is available to assist with completing the Complaint Form as needed.

~~Anyone who would like to file a~~The Equity Office will investigate all discrimination complaint against a student or student organization also has the option of filing the complaint with the Student Affairs Office, Memorial Union 250, NDSU Main Campus, 701-231-8240. ~~Discrimination complaints filed against a student or student organization will be resolved in coordination with the Student Affairs~~NDSU. ~~The Equity Office. If a discrimination complaint against a student or student organization will be~~

~~resolved through formal coordinate the resolution, a hearing, and any appeal, will be administered by the of these complaints involving employees. The Student Affairs Office, in coordination with the Equity Office, under the will coordinate the resolution of these complaints involving students, including hearings, sanctions, and appeals, pursuant to procedures found in the Rights and Responsibilities of Community: A Code of Student Conduct. (Section 601). The Equity 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 Equity Office will investigate all discrimination, harassment, retaliation, and sexual misconduct complaints utilizing Sections 1 through 8.8 of this policy if the complaint identifies an alleged violation by a student. The adjudication of the matter resolution of the complaint including pre-hearing, hearing and appeals will be conducted by the Student Affairs Office pursuant to NDSU Policy 601, will be conducted by the Student Affairs Office, in coordination with the Equity Office, pursuant to NDSU Policy 601.~~

- 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. Unless the Equity Director agrees otherwise in writing, the Complaint Form must be submitted within 180 calendar days of the most recent incident of discrimination.
- 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.
- 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://www.ndsu.edu/biasreport/>.

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 Equity 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 Equity 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 Equity 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 Equity Director or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. As needed, the Equity 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 Equity Director determines that further action on a discrimination complaint is warranted, the Equity 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

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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 ~~or~~ supervisor, or the Student Affairs 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 ~~or~~ supervisor, or Student Affairs 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 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 Equity 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 Equity Office at any time that they want to discontinue their participation in the informal resolution process and the formal resolution process will commence. The Equity 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 Equity Office, the Student Affairs Office, 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 Equity 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, or Student Affairs Office 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 Equity 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) from the Equity Office 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~~Parties;
- (2) Interviews with witnesses identified by the Parties or determined otherwise; ~~and~~
- (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. A review of submitted questions provided by the Parties for the investigator(s) to ask the Parties or witnesses.

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 Equity Office may conduct the comprehensive investigation of the discrimination complaint or the Equity 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 Equity 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 Equity 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 Equity 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 consistent with NDSU Policy 601. If the investigation involves an alleged violation by a student, the investigation will use the a reasonable cause standard consistent with Policy 601. For all other investigations, the standard will be The applicable standard of proof under the formal resolution process 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. ~~For student cases, the Equity Office will use the applicable standard of proof as specified in Policy 601, Code of Student Conduct.~~

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

Commented [HM2]: I think this should be more than just a “review” of any submitted questions.

The ability for the parties to ask these questions should be built in to the investigation process (i.e. NDSU should document that each party has this opportunity and whether or not each party has utilized the opportunity). Additionally, unless irrelevant to the matter at hand, NDSU should ask the questions of the intended recipients.

The goal of this addition is to assist NDSU if/when one or both of the parties do not participate in the hearing phase.

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.

Commented [HM3]: Breaking these things out will assist when walking parties through the process.

- 8.6 **Preliminary ~~determination~~-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 charges. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue charges; 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.

Commented [HM4]: In reviewing a number of other institution's policies on this issue, it does not appear that they define reasonable cause. Do you think this is useful/helpful? I am a bit worried of the mixed messages this may send to parties.

For complaints involving an alleged violation by a student, the report shall include the findings of the investigation along with a recommendation regarding the complaint. For all other complaints involving employees, 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.

Commented [HM5]: See comment HM2

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 30 calendar days of initiation of the comprehensive investigation. The report will be provided to the Parties and, if applicable, a Review Committee as determined by the Equity 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. As needed, the Equity Office is available to facilitate finding a resource to assist a party with putting its response in writing. After an investigator(s) has finished the comprehensive investigation of a discrimination complaint, the investigator(s) will draft a preliminary ~~determination~~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 charges using the reasonable cause standard. For all other complaints, the report shall include the findings and determine whether that states whether the individual (or group) against whom the complaint discrimination complaint was filed is responsible for a violationdiscrimination, including harassment or retaliation, by a preponderance of the evidence. The report will also include, at a minimum, a summary of the relevant information gathered during interviews and otherwise that informed the preliminary ~~determination~~investigation. Unless there are extenuating circumstances, the report will be drafted within 30 calendar days of initiation of the comprehensive investigation. The report will be provided to the Parties and the review committeeReview Committee (see 8.7). The Parties will have 5 business days from receipt of the report to respond in writing to dispute the preliminary determination investigative report and/or any information found in the report in writing. As needed, the Equity Office is available to facilitate finding a resource to assist a party with putting its response in writing.

- 8.7 **Review ~~committee~~Committee** – A Review Committee, at the discretion of the Equity Office, will may be utilized to provide feedback on the preliminary investigative report. Upon

~~completion of the preliminary report, the Equity Office shall have the option of utilizing a Review Committee to provide advice and guidance regarding the preliminary report. Unless there are extenuating circumstances, a review committee~~ Review Committee will meet within 10 calendar days of issuance of the preliminary ~~determination~~ investigative report in order to ~~make a final determination on~~ finalize the investigative report ~~and to recommend disciplinary action, if any.~~ The ~~review committee~~ Review Committee will be comprised of no fewer than 3 properly trained NDSU ~~faculty, or staff~~ members, ~~and/or students~~ 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~~ 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 ~~determination~~ investigative report** – Upon completion of any feedback provided by a Review Committee, the preliminary investigation report will become the final investigative report. Prior to meeting, review committee Review Committee members will review the preliminary ~~determination~~ investigative report and any written response to the report made by the ~~The review committee~~ Review Committee may ask the investigator(s) who issued the preliminary ~~determination~~ 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 Review Committee may request that the investigator(s) gather additional information if the committee decides it cannot make a ~~determination~~ 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. Upon completion of the preliminary report if no Review Committee is utilized or upon completion of the Review Committee's work if a Review Committee is utilized, the preliminary investigation will become a final investigation report. For complaints involving an alleged violation by a student, the final report shall be provided to the Student Affairs, and the Vice Provost for Student Affairs or designee shall make the determination as to how to proceed with adjudicating or dismissing complaints based upon the final investigation report pursuant to NDSU Policy 601. Office along with a recommendation for dismissal of the complaint or a recommendation of pursuing charges. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue charges; 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.

~~The final~~ ~~determination~~ investigative report will include recommended disciplinary action, if any, in addition to a finding as to whether, by a preponderance of the evidence, discriminatory conduct, including harassment or retaliation, occurred. The final

Commented [HM6]: I realize that this is a repeat of the information I added to 8.6, but due to the structure of this policy, it seems like it needs to be in both places (i.e. reasonable cause could present itself between 8.6 and 8.8).

~~determinationinvestigative report, as well as notice of the right to appeal as afforded in 8.12, will be provided in writing to the Parties. The final investigative report in cases where a student is the respondent will be provided to Student Affairs for the student adjudication process to commence as outlined in Rights and Responsibilities of Community: A Code of Student Conduct (Section 601).~~

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~~ [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** –~~Disciplinary action will be imposed by the appropriate — administrator or supervisor on behalf of NDSU.~~ If neither party exercises the right to appeal ~~—~~ as afforded in 8.12, the Equity Director will either: (1) notify any administrator ~~or supervisor (for employees) or supervisor Student Affairs Office (for students)~~ 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 ~~determinationinvestigative report~~ [report](#) to ~~—~~the appropriate administrator~~-or,~~ supervisor,~~or Student Affairs Office~~ whether previously provided a modified notice ~~—~~of action as described in 6.2 or otherwise, and consult with the administrator ~~-or,~~ supervisor ~~—, or Student Affairs Office~~ regarding imposition of the recommended disciplinary action. [If either party exercises the right to appeal, \(1\) or \(2\) will be conducted by the Equity 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 its basis for disagreement in writing to the Equity Director within 3 business days of receipt of the final ~~determination.~~ [If either party exercises the right to — appeal, \(1\) or \(2\) will be conducted by the Equity Director once the appeal process has — concludedinvestigative report.](#)

~~Disciplinary action will be imposed for students pursuant to the procedures outlined in Rights and Responsibilities of Community: A Code of Student Conduct (Section 601) after it has been determined whether there was a violation. These procedures include the notification of the findings of the pre hearing, hearing, sanctions, terms and conditions, and the appeal process.~~

8.11 **Conclusion of formal resolution** – Excluding any appeal, the formal resolution process will be completed within 60 calendar days of the date the discrimination complaint was filed unless there are extenuating circumstances. Any reason for an extension to the 60 calendar day deadline will be communicated in writing to the Parties.

8.12 **Appeal of ~~final determinationinvestigative report~~** [report](#) – Within 5 business days of receipt of the ~~final determination,~~ [investigative report](#) either party may appeal the ~~determinationreport~~ by completing a NDSU Discrimination Appeal Form (Appeal Form) and filing it with the Equity Director. The Appeal Form is available online at <https://www.ndsu.edu/equity/forms/> or by

contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsuoaaa@ndsuo.edu. The Appeal Form can be submitted via email at ndsuoaaa@ndsuo.edu or by bringing it to the Equity Office. As needed, the Equity 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 ~~final determination~~[investigative report](#); and/or (3) new evidence that was previously unavailable should be considered as it could have had a significant impact on the ~~final determination~~[investigative report](#). If an appeal is granted under (3), the Equity Director will require that the ~~review committee~~[Review Committee](#) meet again to determine if the ~~final determination~~[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 ~~final determination~~[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 ~~final determination~~[investigative report](#). If an appeal is granted under (1) or (2), the Equity Director will evaluate the ~~final determination~~[investigative report](#) in an impartial manner in light of the information found in the Appeal Form and will alter or reaffirm the ~~final determination~~[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 Equity Director, the Provost 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 subsequently participate 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.

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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 Equity 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 Equity 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 Equity 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 Equity Director. The Report Form is available online at <https://www.ndsu.edu/equity/forms/> or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu; ndsu.eoaa@ndsu.edu. The Report Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equity Office. The Equity Office can assist with completing the Report Form as needed. The Equity 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 NDSU employees must complete equal opportunity and non-discrimination training on an annual basis. In addition to mandatory training, employees are encouraged to contact the Equity Office with any questions they may have related to equal opportunity and non-discrimination at NDSU, including inquiries regarding their responsibilities as mandatory reporters.

11. DISCRETIONARY INVESTIGATION

11.1 The Equity 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.

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

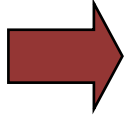
U.S. Equal Employment Opportunity Commission
Phone: 1-800-669-4000
TTY: 1-800-669-6820
info@eeoc.gov
www.eeoc.gov

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
Housekeeping	June 22, 2017

Policy Change Cover Sheet

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



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

SECTION: **Policy 333 Class Attendance Policy and Procedure**

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

- Is this a federal or state mandate? Yes XNo
- Describe change: Language has been added to clarify what types of absences must be excused. The policy does have to change to be compliant with Title IX rules.

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

- Charlene Wolf-Hall, Vice Provost, on behalf of the University Curriculum Committee, University Athletics Committee, and the Title IX Coordinator
- Charlene.hall@ndsuh.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 9/14/17

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 ndsuhpolicy.manual@ndsuh.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

North Dakota State University

Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY ~~AND PROCEDURE~~

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. These instances are described in the following sections. Absences not covered by this policy are excusable at the discretion of the instructor. 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 NDSU Student Health Service does not provide students with excuses for class absences or tardiness due to illness or injury.

2. INSTRUCTOR RESPONSIBILITY

- a. Students must be clearly informed on the first day of class in writing in the syllabus (1) of class policy regarding class absence (including if supporting documentation is required; and (2) of class policy for making up missed assignments. It is recognized that sometimes an assignment is impossible to make-up.
- b. Excused students should be given reasonable opportunity to make up work missed due to the absence, if possible. Suggestions for best practices for managing make up work are available through the Provost’s Office.

3. STUDENT RESPONSIBILITIES AND RECOURSE

Students who anticipate excusable absences shall notify the instructor as soon as possible, preferably by the third week of class, but no later than one week before the absence. In the case of unanticipated excusable events, the student needs to contact the instructor as soon as possible. Students have the responsibility to visit with the instructor if exams or assignments are scheduled during times where absences are required.

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 https://www.ndsu.edu/provost/academics/student_grievances/.

4. 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 one in which a student represents the university to external constituencies in academic or extra-curricular activities. These include but are not limited to mandatory participation as a student athlete in NCAA-sanctioned competition, student government congresses, performing arts outreach, exhibitions, competitions, academic meetings, and conferences.

5. PREGNANT STUDENTS

Absences due to pregnancy or related conditions, including recovery from childbirth, shall be excused for as long as the student's doctor 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 childcare responsibilities impact a student, instructors are encouraged to accommodate students with childcare responsibilities.

6. 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 Equity Office.

7. OTHER EXCUSED ABSENCES

- a. Legally mandated absences such as jury duty or court subpoena.
- b. Absences due to military duty or veteran status, including service related medical appointments where failure to appear might result in a loss of benefits.

1. GENERAL PHILOSOPHY

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

2. FACULTY RESPONSIBILITY

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

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

3. ~~STUDENT RESPONSIBILITY~~

- a. ~~Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two week notice). Where advance notification is not possible (e.g., illness, family emergency), students should contact their course instructor as soon as possible about the absence. Veterans and student servicemembers with special circumstances or who are activated, to include State Active Duty, are encouraged to notify the instructor as soon as possible, provide Activation Orders if possible, and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.~~
- b. ~~When a student misses class for any reason, the student is responsible for contacting the instructor to make arrangements to follow the course instructor's policy in making up any missed assignments, if permitted.~~

HISTORY:

New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004
Amended	June 2007
Housekeeping	February 14, 2011
Amended	January 28, 2014
Amended	April 24, 2014

North Dakota State University

Policy Manual

SECTION 152.2

MEMBERSHIP IN PROFESSIONAL AND SERVICE ORGANIZATIONS

SOURCE: NDSU President

1. Employees are encouraged to join and participate in professional and service organizations.
2. Normally, dues and membership fees are the employee's own personal responsibility. The University may pay organization or institutional fees in professional and service organizations when the membership is regarded, either by the organization or the University, as an institutional membership or is otherwise considered directly beneficial to the University. In such cases, all benefits of membership, such as resource materials, belong to the University. All such funded memberships must be approved by the employee's supervisor who has budgetary responsibility for the unit or division. For the colleges of the University, this shall mean the Dean.
3. Paid membership fees in professional and service organizations are also allowable when they are an allowable cost pursuant to a sponsored grant or contract pursuant to NDSU Policy 812(12). Approval must still be obtained pursuant to subsection 2.
4. No other funded memberships are authorized unless specifically approved by a Vice President or the President.

HISTORY:

New December 1993

NDSU Faculty Senate Agenda
November 13th, 2017
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from October 9, 2017
- V. Consent agenda
 - a. There are no policies scheduled to be included on the consent agenda this month
- VI. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VII. Unfinished Business
 - a. Standing committees – liaison contacts
 - b. The following policies are up for input at the next Faculty Senate meeting. These policies were on the October 9 FS agenda, but were not voted on
 - 130 Annual Leave – Noah Fischer (**Attachment 1**)
 - 143 Sick Leave – Noah Fischer (**Attachment 2**)
 - 149 Leave Without Pay - Noah Fischer (**Attachment 3**)
 - 156 Discrimination, Harassment, and Retaliation Complaint Procedures – Heather Higgins-Dochtermann (**Attachment 4**)
 - 333 Class Attendance Policy and Procedure – Charlene Wolf-Hall (**Attachment 5**)All policy documents are available at:
https://www.ndsu.edu/policy/senate_coordinating_council/
- VIII. New Business
 - a. The following new policies are up for input at the next Faculty Senate meeting
 - 151 Code of Conduct – Heather Higgins-Dochtermann (**Attachment 6**)
 - 352 Promotion, Tenure and Evaluation – Alan Denton (**Attachment 7**)

All policy documents are available at:

https://www.ndsu.edu/policy/senate_coordinating_council/

IX. Adjourn

Policy Change Cover Sheet

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



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

SECTION: **130 Annual Leave**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - During Time, Labor, and Absence Management (TLAB) NDUS System Office provided feedback that there were too many instances where leave without pay was being used when employees had available annual leave balance available to use. Also indicated that majority of leave without pay instances for less than 1 day did not appear consistent with NDSU's Policy 149 for purposes outlined.
 - Policy 149 Leave Without Pay:
 - "Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters."
 - With the implementation of TLAB, when leave is taken in less than 1 day increments it causes leave accruals to be inaccurate, resulting in a need to manually go in and adjust.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Human Resources and Payroll 9/6/17
 - Noah.fischer@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 9/14/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 130 ANNUAL LEAVE

SOURCE: NDUS Human Resources Policy Manual, Section 6
NDSU President

1. Annual leave with pay is earned by eligible employees for the purpose of freeing them from their regular duties to spend time in rest and recreation or to attend to personal matters. Upon approval, annual leave may only be used in place of regularly scheduled work hours and shall not cause overtime. Such leave should be programmed to insure that leave is taken rather than carried forward from year to year.
2. University operations govern annual leave periods. Consideration is given first to the convenience of the administration, departmental needs, then the employee's departmental seniority and finally to the employee's preference. Annual leave is computed on the basis of the employee's hours/week, and months/year.

2.1 The employee must obtain authorization from his/her department head before taking annual leave. The form of this authorization is to be determined by the respective department head.

2.2 The employee is responsible for furnishing a leave request to their supervisor or department head ~~with a completed "Notification of Employee Leave" card~~ upon returning to work.

2.3 The employee is required to use applicable accrued annual and compensatory time before authorized leave without pay. Leave without pay must be taken in full day increments.
2-2

3. Annual leave with pay for full-time benefited, broadbanded staff employees is earned on the basis of continuous service from date of employment as follows:

First through third year - the equivalent of 12 days per year
Fourth through seventh year - the equivalent of 15 days per year
Eighth through twelfth year - the equivalent of 18 days per year
Thirteenth through eighteenth year - the equivalent of 21 days per year
Over eighteen years - the equivalent of 24 days per year

Annual leave for full-time, non-banded employees in the following job categories is earned on the same basis as for staff employees: graduate research fellows (2230), graduate teaching fellows (2235), post doc research fellows (2240), research scientists (2420), extension program assistants (2530), and international exchange scientists (2810).

Graduate teaching, research or service assistants and experiment station project assistants do not earn annual leave.

- 3.1 Years of service shall be computed from the employment anniversary dates.

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3.2 Annual leave for part-time staff employees and the non-banded employees identified above in 3 is earned on a prorated basis.

4. Presidents, executive deans, provosts, vice presidents, positions excluded from the broadbanding system, and other positions approved by the President or chancellor at the time of hire are entitled to accrue a minimum of twelve working days and a maximum of 24 working days of annual leave each year to be taken at the convenience of the administration. Accrual rates for these employees are determined by the institution president. For any of these employees who are less than full-time, the annual leave will be prorated.

Each department may negotiate annual leave accrual on a case-by case basis during the recruitment, with prior Presidential approval. Current benefitted employees are not eligible.

5. Annual leave for 12 month faculty and other non-banded job categories not identified in #3 above is earned at the rate of 16 hours per month, 24 days per year. Annual leave will be prorated for those who are less than full-time. For non-banded employees on 9, 10, or 11, month appointments, see Section 320.
6. All eligible employees may accumulate annual leave hours. Full-time employees may accumulate up to 30 working days or 240 hours which shall be carried forward on January 1st of each year. Part-time employees may accumulate up to the equivalent number of days or hours on a prorated basis. Any accumulation in excess of 30 days or 240 hours (or the equivalent on a prorated basis for part-time employees) on December 31st of each year shall be cancelled.
7. All employees eligible to accumulate annual leave must take at least forty hours (or the equivalent on a prorated basis for part-time employees) of annual leave each year, except for the year during which they are hired.
8. When a holiday occurs during annual leave, the holiday is not considered a day of annual leave time.
9. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll or designee, an employee may be granted annual leave in advance of the accumulation thereof up to a maximum of 40 hours. In rare cases, such as leave due to a workers compensation claim or shared leave, the HR/Payroll office may process leave which exceeds the 40 hour advance. Annual leave taken in advance of accumulation may be deducted from the employee's last paycheck provided the employee has signed an agreement authorizing the deduction. This agreement must be submitted to and approved by the Office of Human Resources and Payroll prior to the employee obtaining a negative accrual balance.
10. Benefitted employees terminating employment must be paid for earned unused annual leave subject to all approved payroll matched reductions/deductions. "Unused annual leave" shall include any leave carried over from the previous year and all accrued leave up to the date of termination. Proper termination notice must be given and any unearned annual leave taken shall be deducted from the employee's last paycheck.
 - 10.1 Annual leave earned by an employee on a 12 month appointment may not be carried forward by the employee to be used or paid for during the term of a subsequent appointment for less than 12 months and must be paid out.
11. In case of death, payment of all earned, unused annual leave shall be paid according to Section 34-01-12 of the North Dakota Century Code. (See Section 183.)

12. Accrued annual leave for employees previously employed with other North Dakota institutions or agencies may be transferred to institutions under the State Board of Higher Education according to agreements between the employee and the institution. If re-employment occurs within one calendar year, the re-employing institution shall credit the employee with prior years of service from any state agency in computing annual leave accrual rate.
13. When employment begins or ends during a pay period, the accrual of annual leave shall be prorated for the pay period when the employee is hired or terminated and does not work a full pay period.
14. Leave requests are processed on an on-going basis. The approving supervisor is responsible for verifying leave balances before approving. Corrections to leave will be handled by the Office of Human Resources and Payroll.

HISTORY:

New	July 1990
Amended	April 1996
Amended	March 1998
Amended	October 1999
Amended	April 2002
Amended	October 2003
Amended	March 2006
Housekeeping	April 2010
Housekeeping	May 15, 2012
Housekeeping	April 11, 2013
Housekeeping	July 12, 2013
Amended	March 26, 2014
Amended	November 7, 2014
Amended	June 22, 2015
Housekeeping	March 31, 2017

Policy Change Cover Sheet

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

SECTION: **143 Sick Leave**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - During Time, Labor, and Absence Management (TLAB) NDUS System Office provided feedback that there were too many instances where leave without pay was being used when employees had available sick leave balance available to use. Also indicated that majority of leave without pay instances for less than 1 day did not appear consistent with NDSU's Policy 149 for purposes outlined.
 - Policy 149 Leave Without Pay:
 - "Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters."
 - For serious health conditions, leave is typically designated as Family and Medical Leave act Eligible. NDSU Policy 135 FMLA states "an employee is required to use applicable, accrued paid and donated leave and compensatory time before authorized unpaid FMLA leave."
 - With the implementation of TLAB, when leave is taken in less than 1 day increments it causes leave accruals to be inaccurate, resulting in a need to manually go in and adjust.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Human Resources and Payroll 9/6/17
 - Noah.fischer@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 9/14/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 143 SICK/DEPENDENT LEAVE

SOURCE: NDSU PRESIDENT
NDUS Human Resource Policy Manual

1. Sick leave, including maternity, is a benefit granted by the University to eligible employees and is not a benefit considered to be earned by the employee such as annual leave. It is an insurance benefit allowing employees to build a reserve of days they can use for their extended illnesses. *Abuse of this benefit may be grounds for disciplinary action or termination.* Employees are responsible for informing their supervisors prior to the start of their work schedule of their sickness.

1.1 The employing department may require satisfactory medical verification as deemed necessary by the department head prior to the payment of sick leave.

1.2 The employee is responsible for furnishing [a leave request to](#) their supervisor or department head ~~with a completed "Notification of Employee Leave" card~~ upon returning to work.

[1.3](#) Sick leave may only be used in place of regularly scheduled work hours and shall not cause overtime.

~~1.3~~ [1.4](#) The employee is required to use applicable accrued sick and compensatory time before authorized leave without pay. Leave without pay must be taken in full day increments.

2. Sick leave is granted on the basis of continuous service from date of employment for benefited staff employees, *and benefited 12-month academic staff and other non-banded staff.*

3. Sick leave for full-time eligible employees accrues based on rate per hour at a rate equivalent to 12 days per year. Sick leave for eligible part-time employees working 20 hours or more per week is granted on a prorated basis. Sick leave accumulation is unlimited.

4. Sick leave may be granted to employees who become ill while on vacation provided satisfactory medical proof of such illness is submitted.

5. When a holiday occurs during a paid sick leave, the holiday is not considered a day of sick leave.

6. Upon termination, employees with ten years of continuous state service will receive a payment equivalent to 10% of the dollar value of their accrued sick leave. The amount is computed on the basis of the employee's salary at the time of termination and shall be in the form of a lump-sum payment.

7. At the discretion of the department head and the concurrence of the Director of Human Resources/Payroll or designee, an employee may be granted sick leave in advance of the

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accumulation thereof up to a maximum of 40 hours. In rare cases, such as leave due to a workers compensation claim or shared leave, the HR/Payroll office may process leave which exceeds the 40 hour advance.. Sick leave taken in advance of accumulation may be deducted from the employee's last paycheck provided the employee has signed an agreement authorizing the deduction. This agreement must be submitted to and approved by the Office of Human Resources and Payroll prior to the employee obtaining a negative accrual balance.

8. *Unless an approved leave of absence has been granted, an employee who is off the payroll for one year shall lose unused sick leave.*
9. Accrued sick leave is transferable from any state agency to the employing institution if employment with the institution occurs within one calendar year of separation of service with the state agency. In the event of a Reduction in Force, sick leave is transferable if reemployment occurs within two calendar years.
10. Sick leave may be used by the employee when:
 - 10.1 The employee is unable to work due to a mental or physical condition (including maternity).
 - 10.2 The employee has an appointment for the diagnosis or treatment of a medically related condition.
 - 10.3 The employee wishes to attend to the needs of an eligible family member who is ill or to assist them in obtaining other services related to their health. Eligible family members include the employee's spouse, parent (natural, adoptive, foster, and step-parent); child (natural, adoptive, foster, and step-child); or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family member.
 - 10.4 Sick leave used for the purposes described in 10.3 shall not exceed eighty (80) hours per calendar year.
 - 10.5 In the case of a serious health condition of an eligible family member, an employee may take up to a total of four-hundred-eighty (480) hours of sick leave in any twelve-month (12) period, including the eighty (80) hours in section 10.4 above.
 - 10.6 The employee is caring for a newborn child or for a child placed with the employee, by a licensed child-placing agency, for adoption or as a precondition to adoption, but not both. Sick leave in such cases is limited to six (6) weeks during the first six (6) months from birth or placement.
 - 10.7 The employee seeks for oneself or to assist a parent, child, spouse, sibling, or any other individual who regularly resides in the household or who within the prior six months regularly resided in the household, with the consequences of domestic violence, a sex offense, stalking, or terrorizing. Sick leave may be used to seek legal or law enforcement remedies; treatment by a health care provider for physical or mental injuries; obtain services from a domestic violence shelter, rape crisis center, or social services program; obtain mental health counseling; and participate in safety planning, relocation or other actions to increase the employee's or immediate family member's safety from future domestic violence, a sex offense, stalking or terrorizing. The immediate supervisor may limit the use of sick leave for this section to forty (40) hours per calendar year.

11. *The accrual of sick leave shall be prorated for the pay period in which employment begins or ends.*

12. *Sick leave is not accrued during developmental leaves or leaves of absence without pay.*

13. *Accumulated sick leave may be used for any period(s) of actual disability caused or contributed to by pregnancy. Beyond the period of disability, an employee may request use of annual leave, family leave, and/or leave without pay to provide for an extended post-delivery period away from work.*

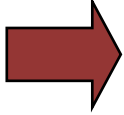
14. *Leave requests are processed on an on-going basis. The approving supervisor is responsible for verifying leave balances before approving. Corrections to leave will be handled by the Office of Human Resources and Payroll.*

HISTORY:

New	July 1990
Amended	April 1992
Amended	July 1997
Amended	April 2002
Amended	January 2004
Amended	November 2005
Amended	January 2007
Amended	March 2008
Amended	November 7, 2011
Housekeeping	July 12, 2013
Amended	October 5, 2015
Housekeeping	March 31, 2017

Policy Change Cover Sheet

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SECTION:

149 Leave Without Pay

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - During Time, Labor, and Absence Management (TLAB) NDUS System Office provided feedback that there were too many instances where leave without pay was being used when employees had available sick leave balance available to use. Also indicated that majority of leave without pay instances for less than 1 day did not appear consistent with NDSU's Policy 149 for purposes outlined.
 - Policy 149 Leave Without Pay:
 - "Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters."
 - With the implementation of TLAB, when leave is taken in less than 1 day increments it causes leave accruals to be inaccurate, resulting in a need to manually go in and adjust.
 - The revisions clarify that leave without pay be requested in full day increments, and that if an employee has applicable paid leave to use, it be used prior to requesting leave without pay.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Human Resources and Payroll 9/6/17
 - Noah.fischer@nds.u.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 149 LEAVE WITHOUT PAY

SOURCE: SBHE Policy Manual, Section 701.1

1. Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters. [Leave without pay must be requested in full day increments.](#)
2. Requests for leave without pay for the President shall be approved by the Board. Requests for leave without pay for institution employees shall be approved by the institution president or designee.

All Employees

In cases where a leave without pay is requested due to sickness, the employee may be requested to provide medical certification to verify the existence of a health condition including date of commencement and probable duration of the illness. [An employee is required to use applicable, accrued paid and donated leave and compensatory time before requesting leave without pay.](#)

Broadbanded Employees

Leave without pay for a period of less than 21 working days may be authorized by the department head. Leave without pay for 21 or more working days requires advance approval of the appropriate vice president and should be requested through the Office of Human Resources/Payroll.

Leave may not be granted for a period in excess of one calendar year, except for military service. Failure of an employee to report for duty or reinstatement on expiration of leave granted is cause for automatic termination.

Externally Funded Research Faculty

Research faculty (so designated by their titles) who are funded totally on externally generated funds may, when their project and funding are completed, request a leave without pay while they submit proposals for additional funding. Such a leave must be approved as other leaves without pay but allows the research faculty member to retain their research faculty title and use it when submitting funding proposals. Research faculty applying for a leave without pay under these circumstances should follow the NDSU Guidelines below but use the [Leave Without Pay form](#), located on the Provost's web page.

3. An employee who is on an approved leave of absence without pay may continue to be covered by employer benefits (health, basic life and employee assistant program) and/or voluntary benefits (optional life, dental, etc.) provided:

- a) the employee remits the appropriate premium(s) to the Human Resources/Payroll Office,
 - b) such coverage is not inconsistent or contrary to insurance contracts, and
 - c) such coverage would not be contrary to State law.
4. Leave of absence shall be granted with assurance of reinstatement to the same position or to other employment in the department recommending the leave unless circumstances make it clearly impractical.
 5. Employees on leave without pay shall retain their year's service rights and accumulated benefits but shall earn no additional benefits.
 6. **NDSU Guidelines** Proposals for leave of absence without pay shall be in writing and submitted on the University's [Leave Without Pay form](#) (located on the Provost's web page) for approval through appropriate channels. An individual requesting a leave without pay for a reason other than illness should inform the department chair or unit administrator at least six months prior to the anticipated leave and submit the request for administrative approval at least three months prior to the leave.

No proposal for leave without pay shall be approved unless the employee agrees, in writing, to provide notification to the University by a specific date of the employee's resignation or of the employee's intent to return to NDSU. The date is to be negotiated prior to approval of the proposal. Failure by the employee after a specific request by the responsible supervisor to either provide the notification of the intent to return or to submit a resignation by the required date shall be deemed to be a resignation.

HISTORY:

New	March 13, 1987
Amended	April 1995
Amended	October 1996
Amended	October 1998
Amended	April 2002
Amended	April 2006
Housekeeping	August 7, 2014

Policy Change Cover Sheet

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SECTION: Policy 156 Discrimination, Harassment, and Retaliation Complaint Procedures

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change: Changes to maintain compliance with federal Title IX regulations, state law, and internal organizational changes. Added information from Policy 603 so that procedure is now contained in one policy.

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

- Office of the Provost
- Canan Bilen-Green canan.bilen.green@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: Will go to the 9/14/17 SCC meeting for information only due to the need to expedite these changes

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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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 **Equity Director** – For purposes of these procedures, the Equity Director is NDSU's Vice Provost and Title IX/ADA Coordinator.
- 2.4 **Equity Office** – For purposes of these procedures, the Equity Office is NDSU's Office of the Vice Provost for Faculty and Equity.
- 2.5 **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, 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 Equity Director. The Complaint Form is available online at <https://www.ndsu.edu/equity/forms/> or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. [The Complaint Form is also available in the Student Affairs Office, Memorial Union 250, NDSU Main Campus, 701-231-8240.](#) The Complaint Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equity Office. The Equity Office is available to assist with completing the Complaint Form as needed.

~~Anyone who would like to file a~~The Equity Office will investigate all discrimination complaint against a student or student organization also has the option of filing the complaint with the Student Affairs Office, Memorial Union 250, NDSU Main Campus, 701-231-8240. ~~Discrimination complaints filed against a student or student organization will be resolved in coordination with the Student Affairs~~NDSU. ~~The Equity Office. If a discrimination complaint against a student or student organization will be~~

~~resolved through formal coordinate the resolution, a hearing, and any appeal, will be administered by the of these complaints involving employees. The Student Affairs Office, in coordination with the Equity Office, under the will coordinate the resolution of these complaints involving students, including hearings, sanctions, and appeals, pursuant to procedures found in the Rights and Responsibilities of Community: A Code of Student Conduct. (Section 601). The Equity 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 Equity Office will investigate all discrimination, harassment, retaliation, and sexual misconduct complaints utilizing Sections 1 through 8.8 of this policy if the complaint identifies an alleged violation by a student. The adjudication of the matter resolution of the complaint including pre-hearing, hearing and appeals will be conducted by the Student Affairs Office pursuant to NDSU Policy 601, will be conducted by the Student Affairs Office, in coordination with the Equity Office, pursuant to NDSU Policy 601.~~

- 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. Unless the Equity Director agrees otherwise in writing, the Complaint Form must be submitted within 180 calendar days of the most recent incident of discrimination.
- 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.
- 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://www.ndsu.edu/biasreport/>.

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 Equity 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 Equity 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 Equity 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 Equity Director or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. As needed, the Equity 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 Equity Director determines that further action on a discrimination complaint is warranted, the Equity 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

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Commented [HM1]: This is remarkably close to "reasonable cause," so I think we should talk through the issue of whether this policy should define reasonable cause.

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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 ~~or~~, supervisor, or the Student Affairs 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 ~~or~~, supervisor, or Student Affairs 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 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 Equity 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 Equity Office at any time that they want to discontinue their participation in the informal resolution process and the formal resolution process will commence. The Equity 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 Equity Office, the Student Affairs Office, 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 Equity 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, or Student Affairs Office 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 Equity 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) from the Equity Office 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~~Parties;
- (2) Interviews with witnesses identified by the Parties or determined otherwise; ~~and~~
- (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. A review of submitted questions provided by the Parties for the investigator(s) to ask the Parties or witnesses.

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 Equity Office may conduct the comprehensive investigation of the discrimination complaint or the Equity 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 Equity 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 Equity 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 Equity 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 consistent with NDSU Policy 601. If the investigation involves an alleged violation by a student, the investigation will use the a reasonable cause standard consistent with Policy 601. For all other investigations, the standard will be The applicable standard of proof under the formal resolution process 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. ~~For student cases, the Equity Office will use the applicable standard of proof as specified in Policy 601, Code of Student Conduct.~~

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

Commented [HM2]: I think this should be more than just a “review” of any submitted questions.

The ability for the parties to ask these questions should be built in to the investigation process (i.e. NDSU should document that each party has this opportunity and whether or not each party has utilized the opportunity). Additionally, unless irrelevant to the matter at hand, NDSU should ask the questions of the intended recipients.

The goal of this addition is to assist NDSU if/when one or both of the parties do not participate in the hearing phase.

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.

Commented [HM3]: Breaking these things out will assist when walking parties through the process.

- 8.6 **Preliminary ~~determination~~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 charges. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue charges; 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.

Commented [HM4]: In reviewing a number of other institution's policies on this issue, it does not appear that they define reasonable cause. Do you think this is useful/helpful? I am a bit worried of the mixed messages this may send to parties.

For complaints involving an alleged violation by a student, the report shall include the findings of the investigation along with a recommendation regarding the complaint. For all other complaints involving employees, 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.

Commented [HM5]: See comment HM2

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 30 calendar days of initiation of the comprehensive investigation. The report will be provided to the Parties and, if applicable, a Review Committee as determined by the Equity 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. As needed, the Equity Office is available to facilitate finding a resource to assist a party with putting its response in writing. After an investigator(s) has finished the comprehensive investigation of a discrimination complaint, the investigator(s) will draft a preliminary ~~determination~~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 charges using the reasonable cause standard. For all other complaints, the report shall include the findings and determine whether that states whether the individual (or group) against whom the complaint discrimination complaint was filed is responsible for a violationdiscrimination, including harassment or retaliation, by a preponderance of the evidence. The report will also include, at a minimum, a summary of the relevant information gathered during interviews and otherwise that informed the preliminary ~~determination~~investigation. Unless there are extenuating circumstances, the report will be drafted within 30 calendar days of initiation of the comprehensive investigation. The report will be provided to the Parties and the review committeeReview Committee (see 8.7). The Parties will have 5 business days from receipt of the report to respond in writing to dispute the preliminary determination investigative report and/or any information found in the report in writing. As needed, the Equity Office is available to facilitate finding a resource to assist a party with putting its response in writing.

- 8.7 **Review ~~committee~~Committee** – A Review Committee, at the discretion of the Equity Office, will may be utilized to provide feedback on the preliminary investigative report. Upon

~~completion of the preliminary report, the Equity Office shall have the option of utilizing a Review Committee to provide advice and guidance regarding the preliminary report. Unless there are extenuating circumstances, a review committee~~ Review Committee will meet within 10 calendar days of issuance of the preliminary ~~determination~~ investigative report in order to ~~make a final determination on~~ finalize the investigative report and to recommend disciplinary action, if any. The ~~review committee~~ Review Committee will be comprised of no fewer than 3 properly trained NDSU ~~faculty, or staff~~ members, and/or students 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~~ 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 ~~determination~~ investigative report** – Upon completion of any feedback provided by a Review Committee, the preliminary investigation report will become the final investigative report. Prior to meeting, review committee Review Committee members will review the preliminary ~~determination~~ investigative report and any written response to the report made by the ~~The review committee~~ Review Committee may ask the investigator(s) who issued the preliminary ~~determination~~ 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 Review Committee may request that the investigator(s) gather additional information if the committee decides it cannot make a ~~determination~~ 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. Upon completion of the preliminary report if no Review Committee is utilized or upon completion of the Review Committee's work if a Review Committee is utilized, the preliminary investigation will become a final investigation report. For complaints involving an alleged violation by a student, the final report shall be provided to the Student Affairs, and the Vice Provost for Student Affairs or designee shall make the determination as to how to proceed with adjudicating or dismissing complaints based upon the final investigation report pursuant to NDSU Policy 601. Office along with a recommendation for dismissal of the complaint or a recommendation of pursuing charges. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue charges; 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.

~~The final~~ ~~determination~~ investigative report will include recommended disciplinary action, if any, in addition to a finding as to whether, by a preponderance of the evidence, discriminatory conduct, including harassment or retaliation, occurred. The final

Commented [HM6]: I realize that this is a repeat of the information I added to 8.6, but due to the structure of this policy, it seems like it needs to be in both places (i.e. reasonable cause could present itself between 8.6 and 8.8).

~~determinationinvestigative report, as well as notice of the right to appeal as afforded in 8.12, will be provided in writing to the Parties. The final investigative report in cases where a student is the respondent will be provided to Student Affairs for the student adjudication process to commence as outlined in Rights and Responsibilities of Community: A Code of Student Conduct (Section 601).~~

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~~ [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** –~~Disciplinary action will be imposed by the appropriate~~ [administrator or supervisor on behalf of NDSU.](#) If neither party exercises the right to appeal ~~—~~as afforded in 8.12, the Equity Director will either: (1) notify any administrator ~~or supervisor (for employees) or supervisor Student Affairs Office (for students)~~ 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 ~~determinationinvestigative report~~ [report](#) to ~~—~~the appropriate administrator~~—~~ ~~or,~~ supervisor, ~~or Student Affairs Office~~ whether previously provided a modified notice ~~—~~of action as described in 6.2 or otherwise, and consult with the administrator ~~—~~or~~—~~ supervisor ~~—~~ ~~or Student Affairs Office~~ regarding imposition of the recommended disciplinary action. [If either party exercises the right to appeal, \(1\) or \(2\) will be conducted by the Equity 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 its basis for disagreement in writing to the Equity Director within 3 business days of receipt of the final ~~determination.~~ [If either party exercises the right to — appeal, \(1\) or \(2\) will be conducted by the Equity Director once the appeal process has — concludedinvestigative report.](#)

~~Disciplinary action will be imposed for students pursuant to the procedures outlined in Rights and Responsibilities of Community: A Code of Student Conduct (Section 601) after it has been determined whether there was a violation. These procedures include the notification of the findings of the pre hearing, hearing, sanctions, terms and conditions, and the appeal process.~~

8.11 **Conclusion of formal resolution** – Excluding any appeal, the formal resolution process will be completed within 60 calendar days of the date the discrimination complaint was filed unless there are extenuating circumstances. Any reason for an extension to the 60 calendar day deadline will be communicated in writing to the Parties.

8.12 **Appeal of ~~final determinationinvestigative report~~** [report](#) – Within 5 business days of receipt of the ~~final determination,~~ [investigative report](#) either party may appeal the ~~determinationreport~~ by completing a NDSU Discrimination Appeal Form (Appeal Form) and filing it with the Equity Director. The Appeal Form is available online at <https://www.ndsu.edu/equity/forms/> or by

contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsuoaaa@ndsuo.edu. The Appeal Form can be submitted via email at ndsuoaaa@ndsuo.edu or by bringing it to the Equity Office. As needed, the Equity 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 ~~final determination~~[investigative report](#); and/or (3) new evidence that was previously unavailable should be considered as it could have had a significant impact on the ~~final determination~~[investigative report](#). If an appeal is granted under (3), the Equity Director will require that the ~~review committee~~[Review Committee](#) meet again to determine if the ~~final determination~~[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 ~~final determination~~[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 ~~final determination~~[investigative report](#). If an appeal is granted under (1) or (2), the Equity Director will evaluate the ~~final determination~~[investigative report](#) in an impartial manner in light of the information found in the Appeal Form and will alter or reaffirm the ~~final determination~~[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 Equity Director, the Provost 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 subsequently participate 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.

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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 Equity 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 Equity 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 Equity 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 Equity Director. The Report Form is available online at <https://www.ndsu.edu/equity/forms/> or by contacting the Equity Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu; ndsu.eoaa@ndsu.edu. The Report Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equity Office. The Equity Office can assist with completing the Report Form as needed. The Equity 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 NDSU employees must complete equal opportunity and non-discrimination training on an annual basis. In addition to mandatory training, employees are encouraged to contact the Equity Office with any questions they may have related to equal opportunity and non-discrimination at NDSU, including inquiries regarding their responsibilities as mandatory reporters.

11. DISCRETIONARY INVESTIGATION

11.1 The Equity 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.

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

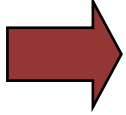
U.S. Equal Employment Opportunity Commission
Phone: 1-800-669-4000
TTY: 1-800-669-6820
info@eeoc.gov
www.eeoc.gov

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
Housekeeping	June 22, 2017

Policy Change Cover Sheet

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



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

SECTION: **Policy 333 Class Attendance Policy and Procedure**

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

- Is this a federal or state mandate? Yes No
- Describe change: Language has been added to clarify what types of absences must be excused. The policy does have to change to be compliant with Title IX rules.

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

- Charlene Wolf-Hall, Vice Provost, on behalf of the University Curriculum Committee, University Athletics Committee, and the Title IX Coordinator
- Charlene.hall@ndsuh.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 9/14/17

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 ndsuhpolicy.manual@ndsuh.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

North Dakota State University

Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY ~~AND PROCEDURE~~

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. These instances are described in the following sections. Absences not covered by this policy are excusable at the discretion of the instructor. 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 NDSU Student Health Service does not provide students with excuses for class absences or tardiness due to illness or injury.

2. INSTRUCTOR RESPONSIBILITY

- a. Students must be clearly informed on the first day of class in writing in the syllabus (1) of class policy regarding class absence (including if supporting documentation is required; and (2) of class policy for making up missed assignments. It is recognized that sometimes an assignment is impossible to make-up.
- b. Excused students should be given reasonable opportunity to make up work missed due to the absence, if possible. Suggestions for best practices for managing make up work are available through the Provost’s Office.

3. STUDENT RESPONSIBILITIES AND RECOURSE

Students who anticipate excusable absences shall notify the instructor as soon as possible, preferably by the third week of class, but no later than one week before the absence. In the case of unanticipated excusable events, the student needs to contact the instructor as soon as possible. Students have the responsibility to visit with the instructor if exams or assignments are scheduled during times where absences are required.

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 https://www.ndsu.edu/provost/academics/student_grievances/.

4. 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 one in which a student represents the university to external constituencies in academic or extra-curricular activities. These include but are not limited to mandatory participation as a student athlete in NCAA-sanctioned competition, student government congresses, performing arts outreach, exhibitions, competitions, academic meetings, and conferences.

5. PREGNANT STUDENTS

Absences due to pregnancy or related conditions, including recovery from childbirth, shall be excused for as long as the student's doctor 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 childcare responsibilities impact a student, instructors are encouraged to accommodate students with childcare responsibilities.

6. 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 Equity Office.

7. OTHER EXCUSED ABSENCES

- a. Legally mandated absences such as jury duty or court subpoena.
- b. Absences due to military duty or veteran status, including service related medical appointments where failure to appear might result in a loss of benefits.

1. GENERAL PHILOSOPHY

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

2. FACULTY RESPONSIBILITY

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

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

3. ~~STUDENT RESPONSIBILITY~~

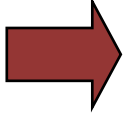
- a. ~~Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two week notice). Where advance notification is not possible (e.g., illness, family emergency), students should contact their course instructor as soon as possible about the absence. Veterans and student servicemembers with special circumstances or who are activated, to include State Active Duty, are encouraged to notify the instructor as soon as possible, provide Activation Orders if possible, and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.~~
- b. ~~When a student misses class for any reason, the student is responsible for contacting the instructor to make arrangements to follow the course instructor's policy in making up any missed assignments, if permitted.~~

HISTORY:

New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004
Amended	June 2007
Housekeeping	February 14, 2011
Amended	January 28, 2014
Amended	April 24, 2014

Policy Change Cover Sheet

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



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

SECTION:

151 Code of Conduct

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

w policy regarding anti-bullying. The U.S. Department of Education released a letter October 26, 2010 addressing the reduction of bullying in educational settings.

llying occurs on university campuses, including NDSU. It is important to recognize bullying as unacceptable behavior and to provide a consistent process to address bullying on campus.

e policy updates include defining bullying, defining what is not bullying, and the procedures in which bullying complaints would be addressed.

- Is this a federal or state mandate? Yes No
- Describe change:

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

This policy started in the General Counsel's Office, however was placed on hold. The Office of HR and Payroll updated the draft and Commission on the Status of Women Faculty (CSWF) with the campus Ombudsperson revised it. HR and CSWF submitted the policy with changes. After further review, CSWF is resubmitting under Policy 151: Code of Conduct.

Submitted on: October 4, 2017 by CSWF

ntact: Heather Higgins-Dochtermann (heather.higginsdocht@ndsu.edu)

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 10/12/17

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 ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

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 or harassment and fosters respect for all members of the university community^(EC-1). We are committed to valuing diversity and treating all with fairness, dignity, and respect. As part of that commitment, NDSU prohibits bullying in all forms, and works to prevent bullying in the workplace, the classroom, and in programs and activities, both on and off campus. ~~A victim of bullying does not have to be a member of a protected class listed in NDSU Policy 100.~~

~~2.~~ 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, Sexual Misconduct and Title IX, SBHE Policy 603.1, or NDSU Policy 100 Equal Opportunity and Non-Discrimination Policy is prohibited.

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.

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 repeated, persistent, and pervasive offensive or intimidating verbal or written acts or conduct directed toward another or others that has the effect of one or more of the following:

2.1.1 Placing an individual in reasonable fear of harm to the individual's person or property;

2.1.2 Causing a detrimental effect on an individual's mental or physical health;

2.1.3 Substantially interfering with an individual's academic and/or work performance;

2.1.4 Substantially interfering with an individual's ability to participate in or benefit from the services, activities, or privileges provided by the institution; or

2.1.5 Interfering with the targeted individual's right to dignity at work, including retaliation for reporting bullying behavior.

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 notes unsatisfactory performance or misconduct; institutes proceedings for workplace sanctions, nonrenewal, or dismissal for cause; or provides feedback regarding work behavior or performance. A victim of bullying does not have to be a member of a protected class listed in NDSU Policy 100.

2.4 Suspected violations of this policy related to bullying should be reported to the NDSU Equity Office, 701.231.7708 or ndsu.eoaa@ndsu.edu-. These reports will be addressed utilizing NDSU Policy 156 Discrimination, Harassment, and Retaliation Complaint Procedures.

3. Conflicts of Interest.

All NDSU employees are expected to perform their duties conscientiously, honestly, and in accordance with the best interests of NDSU. 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..

3.1 Conflict of Interest – Contracts.

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 48-02-12, 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 48-02-12 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.*

All employees involved in projects receiving federal funds shall consult applicable federal laws and regulations and comply with conflict of interest rules which may govern federal grants or other sponsored agreements.

An employee who violates this policy is subject to dismissal or other disciplinary action.

Employees of NDSU authorized (including delegated authority) by Policy 712 to enter into contracts on behalf of the University must sign the North Dakota State University Conflict of Interest Disclosure Statement. All other employees will be provided notice about this Policy but need only sign the statement if they have a conflict. Notices and collection of statements shall be administered by the Purchasing Office.

Employees have an obligation to act in the best interests of NDSU. Any direct or indirect personal or financial interest which could create a conflict of interest or the appearance of a conflict of interest in any agreement, transaction or relationship must be disclosed by the employee by completing and signing the North Dakota State University Conflict of Interest Disclosure Statement and submitting it to the employee's supervisor. This includes but is not limited to the disclosure of privately owned assets being used or otherwise commingled with state assets and participation in any foundation, business or public entity which may create a conflict with an employee's obligations to NDSU. See also NDSU Policy 152: External Professional Activities.

4. Outside Activities and Employment.

Employees share responsibility for good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to NDSU and is encouraged. However, employees must comply with applicable federal and state laws, policies in Section 611 of the SBHE Manual and NDSU related policies. 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

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. Reporting Suspected Violations; Procedures for Investigating Reports.

Employees shall report suspected violations of this Code to their superior, or appropriate administrative official at NDSU. Alleged violations of this Code involving NDSU employees shall be investigated by the appropriate NDSU officer. 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 ~~In addition, the Suspected violations of this policy related to fraud should be reported utilizing the NDSU maintains a fraud hotline. and suspected violations may be reported by use of that hotline.~~

11.3 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.

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

~~Alleged violations of this Code involving NDSU employees shall be investigated by the appropriate NDSU officer. 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.~~

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 require 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 of 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 156: Discrimination, Harassment, and Retaliation Complaint Procedures](#)

[NDSU Policy 160: Political Activities and Voting Rights of University Employees](#)

[NDSU Policy 161: Fitness for Duty](#)

[NDSU Policy 162: Sexual Harassment, Gender-based Harassment, Sexual Misconduct and Title IX](#)

[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](#)

[NDUS Policy 603.3: Nepotism](#)

[NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility](#)

[NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest](#)

[NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials](#)

[NDUS Policy 803.1: Purchasing Procedures](#)

[Conflict of Interest Form](#)

[NDSU Consulting Authorization Request Form](#)

[NDSU Fraud Hotline](#)

[AAUP Statement of Professional Ethics](#)

[NDSU Research Foundation](#)

[N.D.C.C. Ch. 12.1-13 \(See section 12.1-13-03: Public servant's interest in public contracts.\)](#)

[N.D.C.C. Ch.48-01.2: \(See section 48-01.2-08: Officers must not be interested in contract.\)](#)

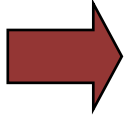
[N.D.C.C. Ch. 44-04: \(See section 44-04-09: Nepotism.\)](#)

HISTORY:

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

Policy Change Cover Sheet

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SECTION: Policy 352 – Promotion, Tenure and Evaluation

Section 3.3 COLLEGE AND DEPARTMENTAL PROMOTION, TENURE,

POST-TENURE, AND EVALUATION CRITERIA

Section 5.2 COMPOSITION OF PTE COMMITTEES

Section 6 PTE PROCEDURES

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change:
 - Sec. 3.3: Amends criteria for promotion to full professor by allowing candidates to (1) choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion, and (2) choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.
 - Sec. 5.2: Clarifies involvement in review process of faculty who themselves are applicants for promotion/tenure.
 - Sec. 6: Replaces references to specific calendar deadline dates (e.g., November 1) with "Provost's deadline".
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: Ad Hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 10-02-2017
 - Email address of the person who should be contacted with revisions: Alan.Denton@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 10/12/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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North Dakota State University

Policy Manual

SECTION 352

PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

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

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

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

2.2.1 TEACHING

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

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

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

- 2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;
- 2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;
- 2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;
- 2.2.1.2.4 the dissemination of best practices in teaching;
- 2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

- 2.2.2.1.1 contributions to knowledge, either by discovery or application, resulting from the candidate's research, and/or
- 2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.

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

- 2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;
- 2.2.2.2.2 juried or invited presentations or productions in the theater, music, or visual arts, design, and architecture;
- 2.2.2.2.3 the development and public release of new products or varieties, research techniques, copyrights, and patents or other intellectual property ;
- 2.2.2.2.4 peer evaluation of research by colleagues from an individual's discipline or area of expertise;
- 2.2.2.2.5 the receipt of awards or special recognition for research ;
- 2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

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

- 2.2.3.1.1 contributions to the welfare of the department, college, university, or profession, and/or
- 2.2.3.1.2 contributions to the public that make use of the faculty member's academic or professional expertise.

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

- 2.2.3.2.1 the receipt of awards or special recognition for service;
- 2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;
- 2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

- 2.2.3.2.4 active participation and leadership in University governance and programs at the department, college, university and system levels;
- 2.2.3.2.5 contributions to fostering a campus climate that supports and respects faculty, staff, and students who have diverse cultures, backgrounds, and points of view;
- 2.2.3.2.6 effective management or improvement of administrative procedures or programs;
- 2.2.3.2.7 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;
- 2.2.3.2.8 contributions to the operation of state or federal agencies.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and specific promotion and tenure criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

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

- 3.1. Each academic unit is responsible for refining the University promotion, tenure, post-tenure, and evaluation criteria and applying those criteria within the special context of the unit. Thus, each academic unit will develop specific promotion, tenure, post-tenure, and evaluation criteria and designate the types of evidence to be used for evaluation of progress toward tenure, for renewal, promotion, and tenure decisions, and for post-tenure review. Within the framework of the University's promotion and tenure criteria, each academic unit shall specify the relative emphasis on teaching, research, and service, and the extent to which a faculty member's assigned responsibilities can be allocated among teaching, research, and service. Expectations for faculty in Professor of Practice and Research Professor positions may differ from those for tenure-line faculty.
- 3.2. A statement of promotion, tenure, post-tenure, and evaluation criteria specific to each college shall be developed by the Promotion, Tenure, and Evaluation (PTE) committee of the college in consultation with the Dean and approved by the faculty of the college. The faculty of each department shall also develop a statement of criteria for promotion, tenure, post-tenure, and evaluation that shall be reviewed and approved by the college PTE committee and the Dean to assure consistency with the college promotion, tenure, post-tenure, and evaluation criteria. The college and departmental statements, and any subsequent changes, shall be reviewed and approved by the Provost assure consistency with University and State Board of Higher Education (SBHE) policies.
- 3.3. For probationary faculty, and for non-tenure-line faculty at the assistant rank, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit that were provided to the candidate at the time of the candidate's appointment to the position. The

dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured and non-tenure-line candidates for promotion to the rank of full professor may choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion. Thereafter, candidates shall be evaluated by the criteria in effect at the time of application. Candidates applying for promotion to the rank of full professor more than eight years after the previous promotion may choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.^[AD1]

3.4. Faculty Hired Without Previous, Relevant Experience

For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.

3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum number of years of tenure credit offered.

There are two options:

3.5.2.1 Faculty may be hired with one to three years of tenure credit. For each year of tenure credit awarded, one year shall be subtracted from the tenure application deadline. For example, given one year of credit, promotion and tenure application would be due in the fifth year of service; given three years, the application would be due in the third year of service. Faculty accomplishments during the tenure credited years are included as accomplishments in the faculty member's promotion and tenure portfolio. Requirements for promotion and tenure shall be adjusted according to the years at NDSU to maintain productivity at the same rate as that expected for promotion and tenure without tenure credit; for example, if six quality publications are required in the six-year probationary period for promotion and tenure, then one quality publication shall be required for each year the faculty member is at NDSU.

3.5.2.2 Faculty may be allowed the full six-year probationary period with the option of applying for promotion and/or tenure at any time following three years of academic service. How prior work is considered must be specified in the appointment letter.

3.5.2.3 For either option, failure to achieve tenure will lead to a terminal year contract. 3.6 Extensions to Probationary Period, apply in all other cases.

3.5.3 Any exceptions to Section 3.5 must be approved by the President.

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

A probationary faculty member who becomes the parent of a child (or children in case of twins, triplets, etc.) by birth or adoption, prior to the year in which the portfolio is due, will automatically be granted a one-year extension of the probationary period upon written notification to the Provost. While NDSU supports the use of the extension, the probationary faculty member has the option at any time after the birth or adoption to return to the original schedule of review. Any additional extensions beyond the one year (per birth/adoption occurrence, not to exceed three years total extension) must be requested under the provisions of 3.6 above.

3.6.2 Extension of Probationary Period for Personal Illness or Disability

A probationary faculty member who experiences a personal illness or disability may request an extension of his/her probationary appointment. Medical documentation of the personal illness or disability is required. Such documentation shall be collected and housed by the Office of Human Resources/Payroll following guidelines provided in NDSU Policy 168. However, the Office of Human Resources/Payroll shall not make recommendations to the Provost pertaining to probationary period extension requests. The faculty member will grant the Provost access to Human Resources records relevant to the request. The Provost shall maintain strict confidentiality of

such documentation. Written notification of the request for an extension, along with supporting documentation, must be provided to the Provost.

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

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

3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.

3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.

3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form.

3.6.4.6 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

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

shall be maintained in a confidential file separate from the employee's official personnel file in the Office of the Provost. It is understood that some information provided pursuant to this policy may be subject to disclosure pursuant to North Dakota open records laws.

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

Related Policies and Procedures:

Policy 156. Discrimination, harassment, and retaliation complaint procedures (<http://www.ndsu.edu/fileadmin/policy/156.pdf>)

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

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

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

4. PERIODIC REVIEW

- 4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.
- 4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.
- 4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.
- 4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.
- 4.5 While faculty in Professor of Practice and Research Professor positions are not eligible for tenure, promotion through ranks is encouraged and is based on time in rank and

satisfactory evaluations of assigned responsibilities. An application for promotion is initiated via a departmental recommendation and follows the same procedure and submission deadlines as for tenure-line faculty. Faculty in such positions are eligible to apply for promotion from assistant to associate after the completion of five years in rank.

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

5. COMPOSITION OF PTE COMMITTEES

- 5.1 Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.
- 5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for [election to service on](#) ^[AD2] a college or department PTE Committee. Prior to commencement of deliberations, the chair of any PTE committee must have received PTE committee training within the last three years, provided through the Office of the Provost. [Faculty members who have applied for promotion and/or tenure may not be involved in the review and recommendation process of any candidate. Administrators who have applied for promotion may not be involved in the review and recommendation process of any candidate where there may be an actual or apparent conflict of interest. A candidate may provide input concerning selection of external reviewers if allowed by the college/department policies.](#) ^[AD3] ~~Faculty members and administrators being considered for promotion may not be involved in any candidate review and recommendation process,~~

~~including the selection of external reviewers, while under consideration.~~

- 5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic administrative appointment" includes appointments as President, Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and/or evaluate other faculty are eligible to serve.
- 5.4 A college PTE committee member who has voted on the promotion/tenure of a candidate in the department PTE committee shall be recused from the vote by the college PTE committee. In such a case, college policy shall determine whether the committee member may or may not deliberate with the committee on the candidate.
- 5.5 Faculty members, including administrators, who participate in the PTE process shall be recused from deliberations and decisions regarding a candidate if there is a past or current relationship that compromises, or could have the appearance of compromising, a faculty member's judgment with regard to the candidate. The following list, while not exhaustive, illustrates the types of relationships that constitute a conflict of interest:
- A family relationship
 - A marital, life partner or dating/romantic/intimate relationship
 - An advising relationship (e.g., the faculty member having served as the candidate's PhD or postdoctoral advisor)
 - A direct financial interest and/or relationship
 - Any other relationship that would prevent a sound, unbiased decision

Recusal due to a conflict of interest with one candidate does not prevent a faculty member from participating in deliberations and decisions regarding other candidates.

6. PTE PROCEDURES

- 6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee ~~no later than November 1 by the Provost's deadline~~^{AD4}.
- 6.2 After ~~November 1~~the Provost's deadline, the information that may be added to the portfolio is limited to
- a) Recommendations by the evaluating units considering the portfolio at that time;
 - b) the candidate's response to those recommendations;
 - c) any materials requested by the evaluators.
- 6.2.1 Candidates may petition the college Dean and PTE committee to add additional materials after the deadline. The Dean and PTE committee must both agree to the addition in order for additional material to be added.

- 6.2.2 Any additional materials added to the portfolio must pertain to information or material already in the portfolio, such as pending publications or grant proposals.
- 6.3 Unsolicited individual faculty input is limited to the department level of review.
- 6.4 Recommendations and any other materials collected as part of the evaluation process at the department, college, and university levels must be added to the candidate's portfolio before being sent forward to the next level of review. At the time that any written materials are added to the candidate's portfolio, copies of the added material must be sent to the candidate for review. The candidate shall have 14 calendar days to respond in writing to the additional materials. Any response from the candidate to such materials must be in writing and must be included in the portfolio for review at the next level.
- 6.5 Allegations of misconduct discovered after [November 1 the Provost's deadline](#) that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.
- 6.6 Colleges and departments shall document that they have followed all procedures; e.g., by a comprehensive checklist of the steps in the PTE process. The documentation must be included in the portfolio.
- 6.7 The College PTE Committee and the College Dean shall separately and independently review and evaluate the candidate's portfolio without discussion or communication.
- 6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.
- 6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.
- 6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.
- 6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.
- 6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the

appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.

- 6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

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

8. DOCUMENT RETENTION

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

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015
Amended	January 27, 2016
Amended	April 11, 2016
Amended	September 8, 2016
Amended	April 12, 2017
Housekeeping	April 19, 2017

NDSU Faculty Senate Agenda
December 11, 2017
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from November 13, 2017
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VI. Consent agenda
 - a. Policies
 - 142 Retirement Plans (**Attachment 1**)
 - 515 Travel-Employees (**Attachment 2**)
 - 714 Senate Coordinating Council (**Attachment 3**)

All policy documents are also available at:
https://www.ndsu.edu/policy/senate_coordinating_council/
 - b. UCC Report (**Attachment 4**)
- VII. Committee and other reports
 - a. Budget
 - b. Equity & Diversity
 - c. Equal Opportunity Hearing Panel
 - d. Faculty Affairs
 - e. Faculty Rights
 - f. Council of College Faculties Council of College Faculties – Birgit Pruess
- VIII. Unfinished Business

a. Policies

- 352 Promotion, Tenure, and Evaluation – Alan Denton (**Attachment 5a and 5b**)
***Please see the email from Alan to clarify why there are two policies.

All policy documents are also available at:

https://www.ndsu.edu/policy/senate_coordinating_council/

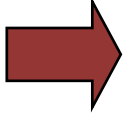
IX. New Business

- a. There are no additional policies up for input and approval at the next Faculty Senate meeting:

X. Adjourn

Policy Change Cover Sheet

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



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

SECTION:

142 Retirement Plans

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

- Is this a federal or state mandate? Yes No

- Describe change: Replacing the current policy with language exclusively from NDUS Human Resource Policy Manual, Section 10

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

- Office/Department/Name and the date submitted: HR and Payroll/Colette Erickson 10/25/17

- Email address of the person who should be contacted with revisions: colette.erickson@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 11/9/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 142 RETIREMENT PLANS

SOURCE: NDSU PRESIDENT
NDUS Human Resource Policy Manual, Section 10
~~ND Century Code 54-52.1-03.2~~

- ~~1. North Dakota law requires regular employees who are 18 years of age or older and work 20 hours or more per week for 5 months or more a year to participate in a retirement plan.
 - ~~1.1 Faculty are generally considered to be a regular employee and covered under TIAA if she/he teaches 7.5 or more credits for two or more consecutive semesters.~~~~
- ~~2. All non professional, staff employees (technical/para professional, office, crafts/trades, and service bands) will participate in the North Dakota Public Employees Retirement System (NDPERS).
 - ~~2.1 The cost of this retirement plan, which amounts to 15.26% percent of gross salary, is funded as indicated below:
 - ~~_____ NDSU = 12.26%~~
 - ~~_____ Employee = 3%~~~~~~
- ~~3. All faculty, other academic staff, administrators, and professional staff employees will participate in a Teachers Insurance and Annuity Association – College Retirement Equities Fund (TIAA) retirement plan which has been approved by the State Board of Higher Education. (A copy of the most recent plan document may be obtained from the Office of Human Resources/Payroll.)
 - ~~3.1 In lieu of participation in the TIAA retirement plan, eligible employees having accrued retirement benefits under the North Dakota Public Employees' Retirement System (PERS) may elect to continue participation in PERS. A PERS participant who later qualifies for participation in TIAA may elect to become a participant by making such election within sixty days of being transferred or placed in a different band. In absence of such election, the right of participation is irrevocably waived. Eligible employees who have accrued retirement benefits under the TIAA plan, and who later qualify for participation in PERS, may within sixty days of the transfer or placement in a different band elect to continue participation in TIAA in lieu of participation in the PERS retirement plan. In absence of such election, the right of participation is irrevocably waived.~~
 - ~~3.2 Teaching and research faculty with rank of assistant professor or instructor, research personnel and lecturers with equivalent rank, and professional staff (3000 band) participate in the TIAA plan as of the date of first employment at an employee-employer contribution rate of 11 percent (3.5 percent employee contribution, 7.5 percent employer contribution); after two years of service the rate shall be 17 percent (4.5 percent employee contribution, 12.5 percent employer contribution); after ten years of service the rate shall be 18 percent (5 percent employee contribution, 13 percent employer contribution).~~
 - ~~3.3 Teaching and research faculty with rank of professor or associate professor, research personnel with equivalent rank, and executive and administrative staff (1000 band)~~~~

~~participate in the TIAA plan as of the date of first employment at an employee-employer contribution rate of 17 percent of contract salary (4.5 percent employee contribution, 12.5 percent employer contribution). After 10 years of service, the total contribution rate shall be 18 percent (5 percent employee contribution, 13 percent employer contribution).~~

- ~~3.4 Employees shall be given credit for years of service during which they accrued retirement benefits under NDPERS, TFFR, and/or TIAA. Credit for TIAA years of service shall also include credit earned at other institutions, including out-of-state institutions, provided employee has a current TIAA contract (i.e. was not repurchased).~~
- ~~3.5 Each employee must designate the percentage basis for allocating their premiums between TIAA, which provides a fixed amount of future retirement income, and the CREF accounts, which provide variable annuities. This percentage election may be changed at any time by calling 1-800-842-2776 or by making election changes in the individual's online TIAA account.~~
- ~~3.6 All contributions (both employer and employee) will be made on a tax-sheltered basis. When tax-sheltering, the employee does not pay income tax on the contributions until the funds are withdrawn from the retirement program.~~
- ~~3.7 Each employee may also tax-shelter additional salary without matching funds from the University to a Tax Sheltered Annuity by payroll reduction.~~
- ~~3.8 The employee-employer total contribution is forwarded to TIAA. The employee's contribution is from semi-monthly compensation based on a regularly executed contract.~~
- ~~3.9 Early retirement under the TIAA retirement plan is permitted when employment ceases prior to age 59 1/2 with an approved Early Retirement Agreement.~~
1. North Dakota law requires regular staff employees who are eighteen or more years of age and who work twenty hours or more per week for five or more months per year to participate in the Public Employee's Retirement Plan.
 - 1.1 Employees in 1000, 2000, and 3000 bands shall participate in the TIAA/CREF retirement plan within the same guidelines noted in Sec. 1.
 - 1.2 In lieu of participation in the TIAA/CREF retirement plan, eligible employees having accrued retirement benefits under the North Dakota Public Employee's Retirement System (PERS) may elect to continue participating in PERS. A PERS participant changing to a position that qualifies for participation in TIAA/CREF may elect to become a participant by making such election within sixty days from the change. In absence of such election, the right participation is irrevocably waived.

HISTORY:

New	July 1990
Amended	April 1992
Amended	June 1994
Amended	August 1997
Amended	July 1999
Amended	November 2005
Housekeeping	December 2010

Housekeeping	January 31, 2011
Housekeeping	April 23, 2012
Housekeeping	April 4, 2013
Housekeeping	January 17, 2014
Amended	September 19, 2017

Attachment 2

Policy 515 Version 1 10/10/17

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.



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SECTION: Policy Number and Name **NDSU Policy 515 – Travel-Employees**

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? **Yes** **No**
 - Describe change: Update part 4 of Policy 515 for change to update mileage reimbursement rates to agree to NDCC.
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted **Accounting Office – Gary Wawers – 9/27/2017**
 - Email address of the person who should be contacted with revisions – **gary.wawers@nds.edu**

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: 11/9/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 515 TRAVEL - EMPLOYEES

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

1. GENERAL PROVISIONS

- 1.1 DEFINITION OF "TRAVEL" - *(NDSU Interpretation)*
For purposes of this policy, except for No. 2 below, the term "travel" means the absence from the city or community where a person normally works and/or maintains an office. For purposes of travel by staff members employed on the University campus their "community" shall include, Fargo, West Fargo, and Moorhead.
- 1.2 MEANS OF TRAVEL - *(NDSU Interpretation)*
Employees must choose the most prudent and economical means of travel, considering factors such as: travel expenses, time away from the office, and the needs of the University.
- 1.3 ACCOUNTING OFFICE RESPONSIBILITY - *(NDSU Interpretation)*
The NDSU Accounting Office is responsible for the initial development of NDSU's employee travel expense reimbursement policy, in addition to the final review and approval of individual employee travel expenses. Employees may be contacted by the Accounting Office for more documentation or a cost/benefit justification. The NDSU Accounting Office must apply the travel rules in this policy on a reasonable, fair and consistent basis.
- 1.4 TRAVEL VOUCHER REQUIREMENTS - (NDCC 54-06-09 (6))
Before an allowance for any such mileage or travel expenses may be made, the employee shall file with the employee's department an itemized statement showing the mileage traveled, the hour of departure and return, the days when and how traveled, the purpose thereof, and such other information and documentation as may be prescribed by rule of the employee's department, college, or division.

(NDCC 44-08-05.1)

Any employee who has the power to approve a voucher for a department shall determine, before approving such voucher, the following:

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

2. TRAVEL WITHIN THE CITY OF EMPLOYMENT

Employees may be reimbursed for expenses incurred within their "city or community" of employment for the following:

2.1 (NDSU Interpretation)

Parking fees for personal vehicles when conducting University functions or attending University meetings.

2.2 (OMB Policy 507)

Mileage at in-state rates for personal vehicles used to transport equipment or university guests for university functions.

2.2.1 (OMB Policy 507)

Mileage from a normal work station to a conference or meeting is reimbursable, if an employee actually reports to work prior to attendance at the meeting. However, mileage for travel from an employee's residence directly to the conference/meeting site is not reimbursable, since it is considered normal commuting travel.

2.3 (NDSU Interpretation)

Meals may be reimbursed as provided under NDSU Policy 170.

2.4 (NDSU Interpretation)

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

3. OUT-OF-STATE TRAVEL AUTHORIZATION - (NDSU Interpretation)

Employees must have each out-of-state trip pre-approved by their immediate supervisor. In addition, employees in a department, college, or division must have each out-of-state trip pre-approved by their Dean or Director. Deans and Directors who report directly to a Vice President or Provost must have their out-of-state trips pre-approved by their Vice President or Provost. Vice Presidents, Provost, and others reporting directly to the President, must have each out-of-state trip pre-approved by the President. Prior approval is to be obtained by using the Travel Authorization – Out-of-State form.

3.1 WORKERS COMPENSATION - (NDSU Interpretation)

In cases where employees are working out-of-state for 30 consecutive days, or for any international trip, the employee must notify the University Police and Safety Office to arrange proper Workers Compensation coverage.

3.2 FOREIGN TRAVEL AUTHORIZATION - (NDSU Interpretation)

Each trip to a foreign country must be approved by the appropriate Vice President or Provost or their designee.

4. PRIVATELY OWNED TRANSPORTATION - (NDCC 54-06-09)

An employee, when required to travel by motor vehicle or truck in the performance of official duty, should use a state-owned vehicle, whenever possible.

(OMB policy 511)

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

(NDCC 44-08-03)

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

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

4.1 IN-STATE MILEAGE - (NDCC 54-06-09 (1a))

The sum of ~~54 cents (for travel prior to 01/01/2017)~~ or 53.5 cents ~~(for travel on or after 01/01/2017)~~ per mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle.

4.2 (NDCC 54-06-09 (1a))

The sum of 80 cents per mile when such travel is by private airplane.

4.3 OUT-OF-STATE MILEAGE - (NDCC 54-06-09 (3))

If only one person engages in travel exceeding any geographic point 300 miles beyond the borders of this state, reimbursement shall be limited to eighteen cents per mile for the out-of-state portion of the travel beyond the first 300 miles.

(NDSU Interpretation)

When interpreting the law indicated in 4.3 above, it may be helpful to visualize that the state's border has expanded in all directions by 300 miles. When only one person travels outside the state of North Dakota and uses their own vehicle, their miles traveled within the 300 mile expanded border, the employee may be reimbursed at the ~~54 cents (for travel prior to 01/01/2017)~~ or 53.5 cents ~~(for travel on or after 01/01/2017)~~ per mile rate. This includes both the departure and return parts of the trip.

When two or more state employees travel in the same vehicle, the per mile allowance is ~~54 cents (for travel prior to 01/01/2017)~~ or 53.5 cents ~~(for travel on or after 01/01/2017)~~. State employees accompanying the vehicle owner must be listed on the travel voucher.

4.4 (NDCC 54-06-09 (5))

State employees permanently located outside the state or on assignments outside the state for an indefinite period of time, exceeding thirty consecutive days, will be allowed and paid ~~54 cents (for travel prior to 01/01/2017)~~ or ~~53.545 cents (for travel on or after 01/01/2017)~~ per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle. In this case the 300 mile restriction, in 4.3 above, does not apply.

(NDSU Interpretation)

Mileage allowances are assumed to be total operating costs for vehicles. No additional amounts will be reimbursed to employees for personal items such as: traffic or parking tickets, vehicle repairs, or any other normal automobile expenses.

5. COMMERCIAL AIRLINES - (OMB Policy 510)

For travel on official state business, airline tickets may be either purchased through a travel agency and billed to the department, or purchased by the employee and reimbursed. In either case, the original itinerary should be used to support the travel agency payment or employee reimbursement.

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Reimbursement to an employee or tickets directly billed to a department will be allowed for the actual cost of tourist or coach fare, purchased at the lowest reasonable rate available, except when approved by the President, or President's designee, unless not permitted by federal rules or regulations. Approvals must be filed in the President's Office. First Class or Business Class tickets should normally be through a frequent flyer upgrade or the employee should use frequent flyer miles earned via state travel. Invoices from third parties (like travel agencies) must identify if travel is First Class or Business Class.

5.1 (NDSU Interpretation)

If the ticket is paid by the employee in a month prior to the travel dates, with appropriate department approval, the employee may be reimbursed immediately after the ticket is paid using an accounts payable voucher.

5.2 (NDSU Interpretation)

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

6. MEAL REIMBURSEMENTS - (NDCC 44-08-04)

Reimbursement is allowed only for overnight travel or other travel, away from the normal place of employment, for four hours or more. Verification of expenses by receipt is required only for lodging expenses.

6.1 DEFINITION - QUARTERS - (NDCC44-08-04 (2)) (NDSU Interpretation italicized)

For purposes of employee meal and lodging reimbursements, state law defines the four quarters of a day as follows:

First quarter shall be from six (6) a.m. to twelve (12) noon. No reimbursement may be made if travel begins after seven (7) a.m.

Second quarter shall be from twelve (12) noon to six (6) p.m. (No reimbursement will be made for this quarter if travel begins after one (1) p.m. or ends prior to twelve (12) noon.)

Third quarter shall be from six (6) p.m. to twelve (12) midnight. (No reimbursement will be made for this quarter if travel begins after seven (7) p.m. or ends prior to six (6) p.m.)

Fourth quarter shall be from twelve (12) midnight to six (6) a.m. (This quarter pertains to claiming lodging expense.)

6.2 CONFERENCE, SEMINAR, OR OTHER MEETING - (NDCC 44-08-04 (1))

Claims may also be made for meals that are included as part of a registration fee for a conference, seminar, or other meeting and for meals attended at the request of and on behalf of the University; however, if a meal is included in a registration fee, the applicable quarter's meal allowance cannot be claimed for that meal.

6.3 TAXABLE MEALS - (NDSU Interpretation of IRS regulations)

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

6.4 PAYMENT FOR MEALS OF STAFF & GUESTS, WHILE IN TRAVEL STATUS - (NDSU Interpretation)

NDSU Policy 170 allows reimbursement to employees for meals of staff and guests, even though the employee is not in travel status. Employees while in travel status may also occasionally encounter meal expenses when they are required to be at a meeting and there is a need to pay for meals of guests, such as when interviewing candidates, recruiting, or fund raising.

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

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

6.5 TEAM TRAVEL - (Excerpt from NDCC 44-08-04, Subsection 1)

If a higher education athletic team or other organized institution organization group meal is attended at the request of and on behalf of the institution, actual expenses for the entire group, including coaches, trainers, and other employees, may be paid or submitted for payment of a team or group travel expense report: subsection 2 does not apply; and officers and employees are not required to document individual expenses or submit individual travel reimbursement vouchers.

(NDSU Interpretation)

Meal expenses of athletic department employees, when traveling with student athletes to games, are covered by travel advances issued from the Accounting Office. These meals are attended at the request of and on behalf of the University and, therefore, the meals are paid from the travel advance at the actual cost of the meals, in accordance with the Athletic department meal reimbursement guidelines for student athletes. Since the meals are paid out of the travel advance, it is not necessary for the employees involved in the team travel to complete a travel voucher to claim reimbursement for the meals.

As an alternative to actual meal costs, some head coaches may prefer to distribute a cash per diem to the employees and student athletes. The cash per diem is distributed from the travel advance for the individual to use for meals. The cash per diem for employees must not exceed the meal allowance allowed policy and must not exceed the Athletic department meal reimbursement guidelines for student athletes. Since the employee cash per diem is paid from a travel advance, it is not necessary for the employee to complete a travel voucher to claim reimbursement for the meals.

6.6 MEAL ALLOWANCE RATES - (NDCC 44-08-04 (2))

Meal reimbursement rates depend upon the time of day the employee is in travel status and whether the travel is in-state or out-of-state. Verification of receipts shall not be required for the first three quarters listed above in Section 6.1.

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

For travel prior to August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	\$ 30.00	\$ 6.00	\$ 9.00	\$ 15.00

For travel on or after August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	\$ 35.00	\$ 7.00	\$ 10.50	\$ 17.50

6.6.2 OUT-OF-STATE, WITHIN CONTINENTAL U.S. - (NDCC 44-08-04 (3))

The allowance for out-of-state meals, within the continental United States, is equal to per diem meals rate in the city for which a claim is made on that day as established by the United States general services administration and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)

The standard meal allowance rate (per diem) for cities in the continental United States is currently \$51.00 per day effective 10/01/2015. The North Dakota Office of Management and Budget (NDOMB) web site shows the official current out-of-state meal allowance rates that NDSU will follow. The NDOMB web site includes a [listing of cities](#) whose meal allowance rates are higher than the standard rate.

The table below (effective 10/01/2015) shows examples of how the meal allowance per diem is split between the first quarter or breakfast (20%), second quarter or lunch (30%), and third quarter (50%).

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
Out-of-State, within continental U.S. (depending on city) <u>Standard Rate</u>	\$ 51.00	\$ 10.20	\$ 15.30	\$ 25.50
(depending on city)	\$ 54.00	\$10.80	\$ 16.20	\$ 27.00
(depending on city)	\$ 59.00	\$11.80	\$ 17.70	\$ 29.50
(depending on city)	\$ 64.00	\$12.80	\$ 19.20	\$ 32.00
(depending on city)	\$ 69.00	\$ 13.80	\$ 20.70	\$ 34.50
(depending on city)	\$ 74.00	\$ 14.80	\$ 22.20	\$ 37.00

6.6.3 NON-CONTINENTAL UNITED STATES AND OVERSEAS NONFOREIGN AREAS - (NDCC 44-08-04 (4))

The allowance for meals in noncontinental United States and overseas nonforeign areas, including Alaska, Hawaii, and Guam, is equal to the per diem meals rate in the city for which a claim is made on that day as established by the rule for federal employees established by the United States per diem committee and must be

allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU interpretation)

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

6.6.4 FOREIGN TRAVEL - NDCC 44-08-04(5))

The allowance for meals outside the United States is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees established by the United States department of state and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)

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

7. LODGING REIMBURSEMENTS - (NDCC 44-08-04 (1)(2d)(6)) *(NDSU Interpretation italicized)*

Reimbursement for in-state lodging expenses incurred while in travel status during the fourth quarter shall not exceed 90% of the rate established by the United States General Services Administration (GSA) for North Dakota, plus applicable state or local taxes on lodging. For travel on or after October 1, 2016, the GSA rate for lodging in North Dakota was \$91; therefore, the maximum amount that can be claimed is \$81.90, plus applicable taxes. For travel on or after October 1, 2017, the GSA rate for lodging in North Dakota is \$93, therefore the maximum amount that can be claimed is \$83.70 plus applicable taxes ($\$93 \times 90\% = \83.70).

The GSA will update their rates periodically during the biennium and the allowable lodging reimbursement will also change at that time. See the city/county rate exceptions, found on the Accounting website. The amounts shown are 90% of the GSA rates and are the maximum state reimbursable rates that can be claimed, plus applicable state and local taxes.

Out-of-state lodging expenses shall be reimbursed at actual expense.

An original lodging receipt is required for reimbursement to the employee. *(When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost.)*

7.1 IN-STATE LODGING RATES OVER MAXIMUM - (SBHE 806.1.10)

In the unlikely situation an employee cannot find lodging at 90% of the GSA rate, the following process needs to be followed:

7.1.1 Prior-approval by campus designated approver must be obtained.

7.1.2 The request must document the name of the employee, name of city traveling to, dates of lodging, name and local phone number of the lodging facility, the rates quoted for the dates of travel or if there were no available rooms. A minimum of 3 facilities should be contacted. If traveling to a North Dakota community that does not have 3 lodging facilities, indicate on documentation.

7.1.3 This documentation must be attached to the travel reimbursement form.

7.1.4 Occasionally, additional documentation will be requested to ensure the most cost-effective rates possible were obtained.

7.1.5 *If a room is more than the 90% maximum GSA rate for North Dakota, allowed in section 7, above, the additional taxes eligible for reimbursement must be pro-rated. For example (using the \$ 83.70 maximum rate): if the room is \$90.00 and taxes are \$13.50, the individual will be reimbursed \$ 83.70 plus \$ 12.56 pro-rated taxes (\$83.70/90.00 x \$13.50 = \$ 12.56).*

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

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

EXCEPTIONS - (NDSU Interpretation)

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

(NDSU Interpretation)

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

7.2.2 *(NDSU Interpretation)*

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

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

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

7.4 ROOM SHARING - (NDSU Interpretation)

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

(OMB Policy 513)

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

8. MISCELLANEOUS TRAVEL EXPENSES - (NDSU Interpretation)

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

8.1 ENTERTAINMENT & PERSONAL EXPENSES - (NDSU Interpretation)

Employee entertainment or other personal expenses are not reimbursable. Expenses claimed by an employee that appear to fall in this category, will need additional justification to support claiming them as necessary business expenses.

8.2 CAR RENTAL - (OMB Policy 518)

8.2.1 The university will reimburse an employee for car rental if the employee used an aircraft to get to their destination, and if the use of the vehicle is sufficient to justify that mode of travel instead of a taxi. It is generally the policy to discourage car rentals unless their cost effectiveness is self-evident.

8.2.2 When renting a car for university business, purchase of additional insurance is not necessary because it is covered by the State's Risk Management Fund. However, the North Dakota Risk Management Division does recommend purchasing the liability insurance if renting outside the United States. Also, when out of the country, it is advisable to purchase the loss damage waiver as well. Employees should consider what coverages the employee's personal auto insurance provides.

8.3 TIPS AND OTHER CHARGES - (NDSU Interpretation)

Reasonable tips, not to exceed \$5.00 per tip, and service charges that are a necessary part of the business trip are reimbursable. Examples include: tips to bellhops and taxicab drivers. No reimbursement is allowed for tips on meals that are covered by the meal allowance.

8.4 LOST RECEIPTS - (NDSU Interpretation)

When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost. Credit card receipts are not sufficient.

9. TRAVEL ADVANCES - (NDCC 44-08-04.2)

The Accounting office may approve a travel advance to employees for payment of meal and lodging expenses incurred while the employee is traveling on official business of this state, provided that such travel is planned to be in excess of five days per month, and provided that the funds advanced do not exceed eighty percent of the estimated expenses for the period.

NDSU LIMITATIONS - (NDSU interpretation)

Funds advanced for meals and lodging must be accounted for as required by this Policy. Travel advances may not be made from state appropriated funds. A travel advance form is available to request an advance. The Accounting Office will generally limit travel advances to the following two situations:

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

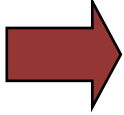
9.2 *When an employee is going on a trip for an extended period of time, such as more than one month. Usually these are international trips funded by a special grant.*

HISTORY:

New	July 20, 2000
Amended	July 2001
Amended	June 2003
Amended	October 2003
Amended	August 2005
Amended	February 2006
Amended	October 2007
Amended	January 2008
Amended	July 17, 2009
Housekeeping	October 6, 2009
Housekeeping	February 2010
Amended	July 2010
Housekeeping	September 2010
Housekeeping	January 5, 2011
Housekeeping	June 15, 2011
Housekeeping	August 18, 2011
Housekeeping	January 27, 2012
Housekeeping	April 23, 2012
Housekeeping	October 10, 2012
Housekeeping	January 10, 2013
Housekeeping	July 30, 2013
Housekeeping	September 18, 2013
Housekeeping	December 31, 2013
Housekeeping	March 3, 2014
Housekeeping	December 31, 2014
Housekeeping	April 29, 2015
Amended	June 22, 2015
Housekeeping	September 30, 2015
Housekeeping	December 31, 2015
Housekeeping	September 7, 2016
Housekeeping	December 30, 2016
Housekeeping	October 1, 2017

Policy Change Cover Sheet

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



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

SECTION: 714 SENATE COORDINATING COUNCIL

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change: In section 2 updated the list of Non-Voting Members due to recent reorganization. Office of the Provost will provide administrative support to SCC and policy approval process.

2. **This policy change was originated by (individual, office or committee/organization):**
 - Office of the Provost, October 25, 2017
 - canan.bilen.green@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 714 SENATE COORDINATING COUNCIL

SOURCE: NDSU President
SBHE Policy 350.1

SOURCE: NDSU President
SBHE Policy 305.1
Faculty Senate Bylaws

1. The Senate Coordinating Council coordinates the routing and adoption of policies and policy changes for their placement into the NDSU Policy Manual. “All policies of a permanent nature affecting the University as a whole should be published in the electronic NDSU Policy Manual. Before approval by the President and placement into the policy manual, such policies, except for interim policies adopted pursuant to subsection 6, must be presented to the Senate Coordinating Council who will direct each policy for review by the appropriate Senates consistent with the Faculty Senate, Staff Senate and Student Body Constitutions and purview of each Senate. Failure to present a policy to the Senate Coordinating Council will not invalidate a policy, but may result in unnecessary delay in its implementation or having a policy resubmitted to the proposing body or department for potential revisions. The Senate Coordinating Council does not approve or disapprove policies but facilitates the policy review process by the various Senates. Finally, the Senate Coordinating Council advises the President on their placement in the manual.”
2. The membership of the Senate Coordinating Council is made up of the following individuals or their designees:

Voting Members:

1. Faculty Senate President
2. Staff Senate President
3. Student Body President
4. Two representatives of the Faculty Senate as appointed by the Faculty Senate President.
5. Two representatives of the Staff Senate as appointed by the Staff Senate President.
6. Two representatives of Student Government appointed in accordance with the Student Government Code.

Non-Voting Members:

- ~~1. Provost (or designee)~~
- ~~2. Vice President for Student Affairs (or designee)~~
- ~~3.1. _____ Vice President for Finance & Administration (or designee)~~
- ~~4.2. _____ Two representatives from Office of the one of these Vice President's or Provost's offices to facilitate meetings and maintain records. Every three to five years, these offices will rotate responsibility for selecting representatives to facilitate meetings and maintain records.~~

Policy initiators and stakeholders are welcome and encouraged to attend the meetings as non-voting members.

3. Committee Responsibilities

1. The Senate Coordinating Council reviews 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 revisions.
 2. The Senate Coordinating Council coordinates the distribution of policies to the appropriate senate body consistent with the Faculty Senate, Staff Senate, and Student Body Constitutions and purview of each Senate.
 3. After approval or review by the appropriate senate bodies, the Senate Coordinating Council sends policies to appropriate channels at NDSU for final approval.
 4. The Senate Coordinating Council serves in a liaison capacity regarding the Faculty Senate, Staff Senate, Student Government, and administration.
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4. The Senate Coordinating Council follows the NDSU Policy Manual Process for coordinating policy review and revisions prior to publication in the NDSU Policy Manual. (For detailed information on the process, please see the [Senate Coordinating Council Process](#) link on the NDSU Policy Manual website.)
 5. After a policy is reviewed by the Senate Coordinating Council and placed in policy manual format, and routed to the various senates, Provost, Vice Presidents, councils, committees or other parties for approval or input as needed, it will be submitted to the President for approval. Following such approval the policy will be returned to ~~Office of the Provost the office currently responsible~~ for maintaining records for distribution and publication in the manual (available on the NDSU web site at www.ndsu.edu/policy).
 6. The President has the authority to adopt interim policies and procedures concerning matters for which legislative authority is delegated by the State Board of Higher Education to campus legislative bodies. Any adoption of an interim policy or procedure must include notice to all Senates prior to or at the time the policy or procedure takes effect. Not later than six months of its effective date, the President shall present the interim policy or procedure to the various Senates for review and their decision, subject to the President's approval or veto, concerning whether the policy or procedure should be continued, revised or discontinued.

HISTORY:

New	November 1992
Amended	May 1996
Amended	January 1998
Amended	March 2002
Amended	February 2003
Amended	October 2004
Amended	May 2005
Amended	September 2007
Amended	January 2008
Housekeeping	December 2009
Housekeeping	July 2010
Housekeeping	February 14, 2011
Amended	October 12, 2011

**University Curriculum Committee Report
For Faculty Senate Meeting on December 11, 2017**

Program Changes
B.S., Agricultural Systems Management – discontinuing AGRI 150 and reducing the amount of total credits required from 128 to 127
B.S./B.A., Emergency Management – eliminate SOC 110 and SOC 340 as required courses; allow any of the approved quantitative reasoning courses to count for that category; increase EMGT 496 credits from 3 to 6; increase elective requirement from 12 to 15 credits; increase EMGT 291 from 1 to 3 credits; decrease the total number of credits required for this degree from 122 to 120
Emergency Management minor – add EMGT 261 to the list of expanded electives
B.S., Natural Resources Management – delete AGRI 189 as a required course; remove ANTH 111, ANTH 462, POLS 110 and POLS 360 as course options; three new requirements added to the Physical/Earth Resources Science emphasis to replace the MATH 146 requirement and ECON 482 was added as an emphasis course to the Economics emphasis
B.S., Crop and Weed Sciences – discontinuing AGRI 150 and incorporating its content into PLSC 189, which will replace AGRI 189

New Courses				
Subject	No.	Title	Crs.	Effective Term
CSCI	685	Autonomous Command and Artificial Intelligence for Robots and Other Cyber-Physical Systems	3	Fall 2018
RELS	410	Religion and Violence	3	Spring 2018

Course Reactivation				
Subject	No.	Title	Crs.	Effective Term
HNES	133	Volleyball	1	Fall 2018

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
NURS	336	Transcultural Nursing Care	3	NURS	436	Transcultural Nursing Care	3	Fall 2018

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions					
Subject	No.	Title	Prerequisite/Co-requisite Change		Effective Term
NURS	436	Transcultural Nursing Care	Prereq: NURS 426		Fall 2018

Hoyt, Kelly

From: Asheim, Mary
Sent: Thursday, November 16, 2017 10:32 AM
To: Denton, Alan
Cc: Hoyt, Kelly
Subject: FW: Faculty Senate discussion of Policy 352 committee proposal
Attachments: SCC_cover_sheet_Dec2017.doc; 352.SCC.Dec2017.docx

Alan,

I'm forwarding your email to Kelly Hoyt, the new SCC Secretary. She will process your request and send you information about the next SCC meeting.

Have a great day!
Mary

Mary Asheim
Administrative Assistant / Student Affairs

NORTH DAKOTA STATE UNIVERSITY
Memorial Union Rm 250
NDSU Dept 2840, P.O. Box 6050
Fargo, ND 58108-6050
phone: 701-231-6537
fax: 701-231-6548
Mary.Asheim@ndsu.edu
www.ndsu.edu



From: Denton, Alan
Sent: Thursday, November 16, 2017 10:16 AM
To: Haring, Stuart <stuart.haring@ndsu.edu>; Asheim, Mary <mary.asheim@ndsu.edu>
Subject: Faculty Senate discussion of Policy 352 committee proposal

Stuart and Mary:

The Faculty Senate Ad Hoc Committee for Review of Policy 352 met yesterday and made further progress on Sec. 5 Composition of PTE Committees. Given this progress, and the postponement of the Senate discussion of Policy 352, we request limiting discussion at the next Senate meeting to only our proposed revision of Sec. 3.3 (criteria for promotion to full professor) and Sec. 6 PTE Procedures. In the new year, our committee would then make a more consolidated proposal to revise Sec. 5. I am attaching a revised SCC cover sheet and policy with the previous changes to Sec. 5 removed. Please let me know if you need anything else.

Thanks,

Alan

--

Alan R. Denton, Professor & Graduate Program Coordinator
Department of Physics
North Dakota State University
PO Box 6050, Dept. 2755
Fargo, ND 58108-6050, U.S.A.
701-231-7036 / Fax: 701-231-7088
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Attachment 5a

Policy 352, Secs. 3, 5, 6 Version 1 10/03/17

Policy Change Cover Sheet

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



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

SECTION: Policy 352 – Promotion, Tenure and Evaluation

Section 3.3 COLLEGE AND DEPARTMENTAL PROMOTION, TENURE,
POST-TENURE, AND EVALUATION CRITERIA

Section 5.2 COMPOSITION OF PTE COMMITTEES

Section 6 PTE PROCEDURES

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change:
 - Sec. 3.3: Amends criteria for promotion to full professor by allowing candidates to (1) choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion, and (2) choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.
 - Sec. 5.2: Clarifies involvement in review process of faculty who themselves are applicants for promotion/tenure.
 - Sec. 6: Replaces references to specific calendar deadline dates (e.g., November 1) with "Provost's deadline".
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: Ad Hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 10-02-2017
 - Email address of the person who should be contacted with revisions: Alan.Denton@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 10/12/17

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 352

PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

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

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

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

2.2.1 TEACHING

- 2.2.1.1 CRITERIA In the areas of teaching (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:
 - 2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;
 - 2.2.1.1.2 the continuous improvement of courses or instructional programs;
 - 2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.
- 2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:
 - 2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;
 - 2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;
 - 2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;
 - 2.2.1.2.4 the dissemination of best practices in teaching;
 - 2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

- 2.2.2.1.1 contributions to knowledge, either by discovery or application, resulting from the candidate's research, and/or
- 2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.
- 2.2.2.2 EVIDENCE A candidate demonstrates quality of research by providing evidence of completed original work (i.e. published/in press, exhibited, or funded) from multiple sources such as:
 - 2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;
 - 2.2.2.2.2 juried or invited presentations or productions in the theater, music, or visual arts, design, and architecture;
 - 2.2.2.2.3 the development and public release of new products or varieties, research techniques, copyrights, and patents or other intellectual property ;
 - 2.2.2.2.4 peer evaluation of research by colleagues from an individual's discipline or area of expertise;
 - 2.2.2.2.5 the receipt of awards or special recognition for research ;
 - 2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

- 2.2.3.1 CRITERIA In the areas of service (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure and post-tenure review:
 - 2.2.3.1.1 contributions to the welfare of the department, college, university, or profession, and/or
 - 2.2.3.1.2 contributions to the public that make use of the faculty member's academic or professional expertise.
- 2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:
 - 2.2.3.2.1 the receipt of awards or special recognition for service;
 - 2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;
 - 2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

- 2.2.3.2.4 active participation and leadership in University governance and programs at the department, college, university and system levels;
- 2.2.3.2.5 contributions to fostering a campus climate that supports and respects faculty, staff, and students who have diverse cultures, backgrounds, and points of view;
- 2.2.3.2.6 effective management or improvement of administrative procedures or programs;
- 2.2.3.2.7 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;
- 2.2.3.2.8 contributions to the operation of state or federal agencies.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and specific promotion and tenure criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

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

- 3.1. Each academic unit is responsible for refining the University promotion, tenure, post-tenure, and evaluation criteria and applying those criteria within the special context of the unit. Thus, each academic unit will develop specific promotion, tenure, post-tenure, and evaluation criteria and designate the types of evidence to be used for evaluation of progress toward tenure, for renewal, promotion, and tenure decisions, and for post-tenure review. Within the framework of the University's promotion and tenure criteria, each academic unit shall specify the relative emphasis on teaching, research, and service, and the extent to which a faculty member's assigned responsibilities can be allocated among teaching, research, and service. Expectations for faculty in Professor of Practice and Research Professor positions may differ from those for tenure-line faculty.
- 3.2. A statement of promotion, tenure, post-tenure, and evaluation criteria specific to each college shall be developed by the Promotion, Tenure, and Evaluation (PTE) committee of the college in consultation with the Dean and approved by the faculty of the college. The faculty of each department shall also develop a statement of criteria for promotion, tenure, post-tenure, and evaluation that shall be reviewed and approved by the college PTE committee and the Dean to assure consistency with the college promotion, tenure, post-tenure, and evaluation criteria. The college and departmental statements, and any subsequent changes, shall be reviewed and approved by the Provost assure consistency with University and State Board of Higher Education (SBHE) policies.
- 3.3. For probationary faculty, and for non-tenure-line faculty at the assistant rank, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit that were provided to the candidate at the time of the candidate's appointment to the position. The

dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured and non-tenure-line candidates for promotion to the rank of full professor may choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion. Thereafter, candidates shall be evaluated by the criteria in effect at the time of application. Candidates applying for promotion to the rank of full professor more than eight years after the previous promotion may choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.

3.4. Faculty Hired Without Previous, Relevant Experience

For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.

3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum number of years of tenure credit offered.

There are two options:

3.5.2.1 Faculty may be hired with one to three years of tenure credit. For each year of tenure credit awarded, one year shall be subtracted from the tenure application deadline. For example, given one year of credit, promotion and tenure application would be due in the fifth year of service; given three years, the application would be due in the third year of service. Faculty accomplishments during the tenure credited years are included as accomplishments in the faculty member's promotion and tenure portfolio. Requirements for promotion and tenure shall be adjusted according to the years at NDSU to maintain productivity at the same rate as that expected for promotion and tenure without tenure credit; for example, if six quality publications are required in the six-year probationary period for promotion and tenure, then one quality publication shall be required for each year the faculty member is at NDSU.

Commented [AD1]: Amends criteria for promotion to full professor by allowing candidates to (1) choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion, and (2) choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.

- 3.5.2.2 Faculty may be allowed the full six-year probationary period with the option of applying for promotion and/or tenure at any time following three years of academic service. How prior work is considered must be specified in the appointment letter.
- 3.5.2.3 For either option, failure to achieve tenure will lead to a terminal year contract. 3.6 Extensions to Probationary Period, apply in all other cases.

3.5.3 Any exceptions to Section 3.5 must be approved by the President.

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

A probationary faculty member who becomes the parent of a child (or children in case of twins, triplets, etc.) by birth or adoption, prior to the year in which the portfolio is due, will automatically be granted a one-year extension of the probationary period upon written notification to the Provost. While NDSU supports the use of the extension, the probationary faculty member has the option at any time after the birth or adoption to return to the original schedule of review. Any additional extensions beyond the one year (per birth/adoption occurrence, not to exceed three years total extension) must be requested under the provisions of 3.6 above.

3.6.2 Extension of Probationary Period for Personal Illness or Disability

A probationary faculty member who experiences a personal illness or disability may request an extension of his/her probationary appointment. Medical documentation of the personal illness or disability is required. Such documentation shall be collected and housed by the Office of Human Resources/Payroll following guidelines provided in NDSU Policy 168. However, the Office of Human Resources/Payroll shall not make recommendations to the Provost pertaining to probationary period extension requests. The faculty member will grant the Provost access to Human Resources records relevant to the request. The Provost shall maintain strict confidentiality of

such documentation. Written notification of the request for an extension, along with supporting documentation, must be provided to the Provost.

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

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

3.6.5 Confidentiality

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

shall be maintained in a confidential file separate from the employee's official personnel file in the Office of the Provost. It is understood that some information provided pursuant to this policy may be subject to disclosure pursuant to North Dakota open records laws.

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

Related Policies and Procedures:

Policy 156. Discrimination, harassment, and retaliation complaint procedures (<http://www.ndsu.edu/fileadmin/policy/156.pdf>)

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

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

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

4. PERIODIC REVIEW

- 4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.
- 4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.
- 4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.
- 4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.
- 4.5 While faculty in Professor of Practice and Research Professor positions are not eligible for tenure, promotion through ranks is encouraged and is based on time in rank and

satisfactory evaluations of assigned responsibilities. An application for promotion is initiated via a departmental recommendation and follows the same procedure and submission deadlines as for tenure-line faculty. Faculty in such positions are eligible to apply for promotion from assistant to associate after the completion of five years in rank.

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

5. COMPOSITION OF PTE COMMITTEES

- 5.1 Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.
- 5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for ~~election to service on~~ a college or department PTE Committee. Prior to commencement of deliberations, the chair of any PTE committee must have received PTE committee training within the last three years, provided through the Office of the Provost. ~~Faculty members who have applied for promotion and/or tenure may not be involved in the review and recommendation process of any candidate. Administrators who have applied for promotion may not be involved in the review and recommendation process of any candidate where there may be an actual or apparent conflict of interest. A candidate may provide input concerning selection of external reviewers if allowed by the college/department policies. Faculty members and administrators being considered for promotion may not be involved in any candidate review and recommendation process, including the selection of~~

Commented [AD2]: Replace "election to" with "service on", since not all units elect PTE committee members.

Commented [AD3]: Clarifies involvement in review process of faculty and administrators who themselves are applicants for promotion/tenure.

~~external reviewers, while under consideration.~~

- 5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic administrative appointment" includes appointments as President, Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and/or evaluate other faculty are eligible to serve.
- 5.4 A college PTE committee member who has voted on the promotion/tenure of a candidate in the department PTE committee shall be recused from the vote by the college PTE committee. In such a case, college policy shall determine whether the committee member may or may not deliberate with the committee on the candidate.
- 5.5 Faculty members, including administrators, who participate in the PTE process shall be recused from deliberations and decisions regarding a candidate if there is a past or current relationship that compromises, or could have the appearance of compromising, a faculty member's judgment with regard to the candidate. The following list, while not exhaustive, illustrates the types of relationships that constitute a conflict of interest:
- A family relationship
 - A marital, life partner or dating/romantic/intimate relationship
 - An advising relationship (e.g., the faculty member having served as the candidate's PhD or postdoctoral advisor)
 - A direct financial interest and/or relationship
 - Any other relationship that would prevent a sound, unbiased decision

Recusal due to a conflict of interest with one candidate does not prevent a faculty member from participating in deliberations and decisions regarding other candidates.

6. PTE PROCEDURES

- 6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee ~~no later than November 1 by the Provost's deadline.~~
- 6.2 After ~~November 1~~ the Provost's deadline, the information that may be added to the portfolio is limited to
- a) Recommendations by the evaluating units considering the portfolio at that time;
 - b) the candidate's response to those recommendations;
 - c) any materials requested by the evaluators.
- 6.2.1 Candidates may petition the college Dean and PTE committee to add additional materials after the deadline. The Dean and PTE committee must both agree to the addition in order for additional material to be added.

Commented [AD4]: Replace references to specific calendar deadline dates (e.g., November 1) with "Provost's deadline".

- 6.2.2 Any additional materials added to the portfolio must pertain to information or material already in the portfolio, such as pending publications or grant proposals.
- 6.3 Unsolicited individual faculty input is limited to the department level of review.
- 6.4 Recommendations and any other materials collected as part of the evaluation process at the department, college, and university levels must be added to the candidate's portfolio before being sent forward to the next level of review. At the time that any written materials are added to the candidate's portfolio, copies of the added material must be sent to the candidate for review. The candidate shall have 14 calendar days to respond in writing to the additional materials. Any response from the candidate to such materials must be in writing and must be included in the portfolio for review at the next level.
- 6.5 Allegations of misconduct discovered after ~~November 1~~the Provost's deadline that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.
- 6.6 Colleges and departments shall document that they have followed all procedures; e.g., by a comprehensive checklist of the steps in the PTE process. The documentation must be included in the portfolio.
- 6.7 The College PTE Committee and the College Dean shall separately and independently review and evaluate the candidate's portfolio without discussion or communication.
- 6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.
- 6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.
- 6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.
- 6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.
- 6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the

appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.

- 6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

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

8. DOCUMENT RETENTION

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

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015
Amended	January 27, 2016
Amended	April 11, 2016
Amended	September 8, 2016
Amended	April 12, 2017
Housekeeping	April 19, 2017

Attachment 5b

Policy 352, Secs. 3 and 6 Version 2 11-16-2017

Policy Change Cover Sheet

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



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

SECTION:

Policy 352 – Promotion, Tenure and Evaluation
Section 3.3 COLLEGE AND DEPARTMENTAL PROMOTION, TENURE,
POST-TENURE, AND EVALUATION CRITERIA
Section 6 PTE PROCEDURES

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change:
 - Sec. 3.3: Amends criteria for promotion to full professor by allowing candidates to (1) choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion, and (2) choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.
 - Sec. 6: Replaces references to specific calendar deadline dates (e.g., November 1) with "Provost's deadline".
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: Ad Hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 11-16-2017
 - Email address of the person who should be contacted with revisions: Alan.Denton@nds.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

Policy Manual

SECTION 352 PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

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

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

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

2.2.1 TEACHING

- 2.2.1.1 CRITERIA In the areas of teaching (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:
 - 2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;
 - 2.2.1.1.2 the continuous improvement of courses or instructional programs;
 - 2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.
- 2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:
 - 2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;
 - 2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;
 - 2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;
 - 2.2.1.2.4 the dissemination of best practices in teaching;
 - 2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

- 2.2.2.1.1 contributions to knowledge, either by discovery or application, resulting from the candidate's research, and/or
- 2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.
- 2.2.2.2 EVIDENCE A candidate demonstrates quality of research by providing evidence of completed original work (i.e. published/in press, exhibited, or funded) from multiple sources such as:
 - 2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;
 - 2.2.2.2.2 juried or invited presentations or productions in the theater, music, or visual arts, design, and architecture;
 - 2.2.2.2.3 the development and public release of new products or varieties, research techniques, copyrights, and patents or other intellectual property ;
 - 2.2.2.2.4 peer evaluation of research by colleagues from an individual's discipline or area of expertise;
 - 2.2.2.2.5 the receipt of awards or special recognition for research ;
 - 2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

- 2.2.3.1 CRITERIA In the areas of service (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure and post-tenure review:
 - 2.2.3.1.1 contributions to the welfare of the department, college, university, or profession, and/or
 - 2.2.3.1.2 contributions to the public that make use of the faculty member's academic or professional expertise.
- 2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:
 - 2.2.3.2.1 the receipt of awards or special recognition for service;
 - 2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;
 - 2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

- 2.2.3.2.4 active participation and leadership in University governance and programs at the department, college, university and system levels;
- 2.2.3.2.5 contributions to fostering a campus climate that supports and respects faculty, staff, and students who have diverse cultures, backgrounds, and points of view;
- 2.2.3.2.6 effective management or improvement of administrative procedures or programs;
- 2.2.3.2.7 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;
- 2.2.3.2.8 contributions to the operation of state or federal agencies.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and specific promotion and tenure criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

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

- 3.1. Each academic unit is responsible for refining the University promotion, tenure, post-tenure, and evaluation criteria and applying those criteria within the special context of the unit. Thus, each academic unit will develop specific promotion, tenure, post-tenure, and evaluation criteria and designate the types of evidence to be used for evaluation of progress toward tenure, for renewal, promotion, and tenure decisions, and for post-tenure review. Within the framework of the University's promotion and tenure criteria, each academic unit shall specify the relative emphasis on teaching, research, and service, and the extent to which a faculty member's assigned responsibilities can be allocated among teaching, research, and service. Expectations for faculty in Professor of Practice and Research Professor positions may differ from those for tenure-line faculty.
- 3.2. A statement of promotion, tenure, post-tenure, and evaluation criteria specific to each college shall be developed by the Promotion, Tenure, and Evaluation (PTE) committee of the college in consultation with the Dean and approved by the faculty of the college. The faculty of each department shall also develop a statement of criteria for promotion, tenure, post-tenure, and evaluation that shall be reviewed and approved by the college PTE committee and the Dean to assure consistency with the college promotion, tenure, post-tenure, and evaluation criteria. The college and departmental statements, and any subsequent changes, shall be reviewed and approved by the Provost assure consistency with University and State Board of Higher Education (SBHE) policies.
- 3.3. For probationary faculty, and for non-tenure-line faculty at the assistant rank, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit that were provided to the candidate at the time of the candidate's appointment to the position. The

dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured and non-tenure-line candidates for promotion to the rank of full professor may choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion. Thereafter, candidates shall be evaluated by the criteria in effect at the time of application. Candidates applying for promotion to the rank of full professor more than eight years after the previous promotion may choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.

3.4. Faculty Hired Without Previous, Relevant Experience

For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.

3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum number of years of tenure credit offered.

There are two options:

3.5.2.1 Faculty may be hired with one to three years of tenure credit. For each year of tenure credit awarded, one year shall be subtracted from the tenure application deadline. For example, given one year of credit, promotion and tenure application would be due in the fifth year of service; given three years, the application would be due in the third year of service. Faculty accomplishments during the tenure credited years are included as accomplishments in the faculty member's promotion and tenure portfolio. Requirements for promotion and tenure shall be adjusted according to the years at NDSU to maintain productivity at the same rate as that expected for promotion and tenure without tenure credit; for example, if six quality publications are required in the six-year probationary period for promotion and tenure, then one quality publication shall be required for each year the faculty member is at NDSU.

Commented [AD1]: Amends criteria for promotion to full professor by allowing candidates to (1) choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion, and (2) choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.

- 3.5.2.2 Faculty may be allowed the full six-year probationary period with the option of applying for promotion and/or tenure at any time following three years of academic service. How prior work is considered must be specified in the appointment letter.
- 3.5.2.3 For either option, failure to achieve tenure will lead to a terminal year contract. 3.6 Extensions to Probationary Period, apply in all other cases.

3.5.3 Any exceptions to Section 3.5 must be approved by the President.

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

A probationary faculty member who becomes the parent of a child (or children in case of twins, triplets, etc.) by birth or adoption, prior to the year in which the portfolio is due, will automatically be granted a one-year extension of the probationary period upon written notification to the Provost. While NDSU supports the use of the extension, the probationary faculty member has the option at any time after the birth or adoption to return to the original schedule of review. Any additional extensions beyond the one year (per birth/adoption occurrence, not to exceed three years total extension) must be requested under the provisions of 3.6 above.

3.6.2 Extension of Probationary Period for Personal Illness or Disability

A probationary faculty member who experiences a personal illness or disability may request an extension of his/her probationary appointment. Medical documentation of the personal illness or disability is required. Such documentation shall be collected and housed by the Office of Human Resources/Payroll following guidelines provided in NDSU Policy 168. However, the Office of Human Resources/Payroll shall not make recommendations to the Provost pertaining to probationary period extension requests. The faculty member will grant the Provost access to Human Resources records relevant to the request. The Provost shall maintain strict confidentiality of

such documentation. Written notification of the request for an extension, along with supporting documentation, must be provided to the Provost.

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

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

3.6.5 Confidentiality

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

shall be maintained in a confidential file separate from the employee's official personnel file in the Office of the Provost. It is understood that some information provided pursuant to this policy may be subject to disclosure pursuant to North Dakota open records laws.

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

Related Policies and Procedures:

Policy 156. Discrimination, harassment, and retaliation complaint procedures (<http://www.ndsu.edu/fileadmin/policy/156.pdf>)

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

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

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

4. PERIODIC REVIEW

- 4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.
- 4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.
- 4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.
- 4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.
- 4.5 While faculty in Professor of Practice and Research Professor positions are not eligible for tenure, promotion through ranks is encouraged and is based on time in rank and

satisfactory evaluations of assigned responsibilities. An application for promotion is initiated via a departmental recommendation and follows the same procedure and submission deadlines as for tenure-line faculty. Faculty in such positions are eligible to apply for promotion from assistant to associate after the completion of five years in rank.

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

5. COMPOSITION OF PTE COMMITTEES

- 5.1 Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.
- 5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Prior to commencement of deliberations, the chair of any PTE committee must have received PTE committee training within the last three years, provided through the Office of the Provost. Faculty members and administrators being considered for promotion may not be involved in any candidate review and recommendation process, including the selection of external reviewers, while under consideration.
- 5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic administrative

appointment" includes appointments as President, Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and/or evaluate other faculty are eligible to serve.

- 5.4 A college PTE committee member who has voted on the promotion/tenure of a candidate in the department PTE committee shall be recused from the vote by the college PTE committee. In such a case, college policy shall determine whether the committee member may or may not deliberate with the committee on the candidate.
- 5.5 Faculty members, including administrators, who participate in the PTE process shall be recused from deliberations and decisions regarding a candidate if there is a past or current relationship that compromises, or could have the appearance of compromising, a faculty member's judgment with regard to the candidate. The following list, while not exhaustive, illustrates the types of relationships that constitute a conflict of interest:
- A family relationship
 - A marital, life partner or dating/romantic/intimate relationship
 - An advising relationship (e.g., the faculty member having served as the candidate's PhD or postdoctoral advisor)
 - A direct financial interest and/or relationship
 - Any other relationship that would prevent a sound, unbiased decision

Recusal due to a conflict of interest with one candidate does not prevent a faculty member from participating in deliberations and decisions regarding other candidates.

6. PTE PROCEDURES

- 6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head shall forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee ~~no later than November 1 by the Provost's deadline.~~
- 6.2 After ~~November 1~~ the Provost's deadline, the information that may be added to the portfolio is limited to
- a) Recommendations by the evaluating units considering the portfolio at that time;
 - b) the candidate's response to those recommendations;
 - c) any materials requested by the evaluators.
- 6.2.1 Candidates may petition the college Dean and PTE committee to add additional materials after the deadline. The Dean and PTE committee must both agree to the addition in order for additional material to be added.
- 6.2.2 Any additional materials added to the portfolio must pertain to information or material already in the portfolio, such as pending publications or grant proposals.
- 6.3 Unsolicited individual faculty input is limited to the department level of review.
- 6.4 Recommendations and any other materials collected as part of the evaluation process at the department, college, and university levels must be added to the candidate's portfolio

Commented [AD2]: Replace references to specific calendar deadline dates (e.g., November 1) with "Provost's deadline".

before being sent forward to the next level of review. At the time that any written materials are added to the candidate's portfolio, copies of the added material must be sent to the candidate for review. The candidate shall have 14 calendar days to respond in writing to the additional materials. Any response from the candidate to such materials must be in writing and must be included in the portfolio for review at the next level.

- 6.5 Allegations of misconduct discovered after ~~November 1~~the Provost's deadline that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.
- 6.6 Colleges and departments shall document that they have followed all procedures; e.g., by a comprehensive checklist of the steps in the PTE process. The documentation must be included in the portfolio.
- 6.7 The College PTE Committee and the College Dean shall separately and independently review and evaluate the candidate's portfolio without discussion or communication.
- 6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost by January 5. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.
- 6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost by January 5. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.
- 6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.
- 6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.
- 6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.
- 6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

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

8. DOCUMENT RETENTION

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

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015
Amended	January 27, 2016
Amended	April 11, 2016
Amended	September 8, 2016
Amended	April 12, 2017
Housekeeping	April 19, 2017

NDSU Faculty Senate Agenda
January 22, 2018
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from December 11, 2017
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VI. Consent agenda
 - a. Policies – There are no new or revised policies requiring consideration.
- VII. Committee and other reports
 - a. Campus Space & Facilities
 - b. Technology & Instructional Services
 - c. Library
 - d. Research & Consulting
 - e. Conflict of Interest Advisory
- VIII. Unfinished Business
 - a. None
- IX. New Business
 - a. None
- X. Adjourn

NDSU Faculty Senate Agenda
February 12, 2018
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from January 22, 2018 (**Attachment 1**)
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VI. Consent agenda
 - a. Policies
 - i. 183 Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff (**Attachment 2**) – previously approved, but wording changes by legal counsel were put forth.
 - ii. 345 Research Involving Human Participants – federally mandated change (**Attachment 3**).
 - iii. 515 Travel – Employees (**Attachment 4**) – in-state and out-of-state mileage rate change and formatting updated.
 - iv. 700 Services and Facilities Usage (**Attachment 5**) – updated references to Dean of Student Life Office due to organizational restructure; updated the reference to Policy 601 section/subsection; removed sentence about obtaining copies of policies since policies are all online.

All policy documents are available at:
https://www.ndsu.edu/policy/senate_coordinating_council/
- VII. Committee and other reports
 - a. No committee reports will be given.
- VIII. Unfinished Business

- a. None

IX. New Business

- a. Policies up for input and approval:

- i. 352 Promotion, Tenure, and Evaluation – this is a resubmission addressing sections 3.3 and 6 (**Attachment 6**).

All policy documents are available at:

https://www.ndsu.edu/policy/senate_coordinating_council/

- b. UCC report and policies approved by UCC:

- i. Report (**Attachment 7**)
 - ii. Policy 18-19 General Education Administrative Policies (**Attachment 8**)
 - iii. Policy 18-19 Bulletin Transfer and Test Credit (**Attachment 9**)

- c. Resolution concerning the VPRCA (**Attachment 10**).

X. Adjourn

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name 183 NonRenewal and Dismissal of Nonbanded, Nonacademic Staff

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes xxxNo
 - Describe change: NDUS Policy 608.2 has been changed, so NDSU's 183 policy is being revised and submitted to concur.
2. This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted: Human Resources and Payroll/Colette Erickson/04/11/2017
 - Email address of the person who should be contacted with revisions colette.erickson@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University Policy Manual

SECTION 183 NONRENEWAL AND DISMISSAL OF NONBANDED, NONACADEMIC STAFF

SOURCE: SBHE Policy Manual, Section 608.2

1. This policy applies to all employees excluded from the broadbanding system who are not members of the academic staff, and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff.

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This policy does not apply to:

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a. Chancellor and institution presidents.

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b. Coaches.

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c. Faculty - Employees with academic appointments are governed by SBHE Policy Sections 605.1, 605.2, 605.3, and 605.4.

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d. Student residence hall assistants, work-study students and other students employed on a part-time basis for a limited term. The terms and conditions of employment for student resident hall assistants shall be stated in a written contract.

2. An employee may be dismissed an institution may be terminated, without cause, pursuant to written notice of termination in accordance with the following schedule:

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a) a. At least three months, if written notice is given during the first year of service;

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

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As used in this section 24, "service" means employment at the same institution or agency.

3. Employees excluded from the broadbanding system who are not members of the academic staff at an institution. An employee may be dismissed based upon financial exigency as determined by the Board, loss of appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses, in which cases the notice requirements of the preceding section shall not apply. If a dismissal is implemented pursuant to this subsection 3, no less than 90 days notice shall be given the employee.

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4. An employee may be dismissed for just cause. Just cause means just cause for dismissal of staff employees as defined in the North Dakota University System Human Resource Policy Manual. (See NDSU 220.2) Notice of intent to dismiss for cause, stating the reasons for the proposed action, shall be given by a department head or other designated official unless the employee is a institution officer who reports directly to the institution's chief executive, in which case the chief executive shall give notice, or a university system employee who reports to the Chancellor, in which case the Chancellor shall give notice, vice president or other officer who reports directly to the institution's chief executive, in which case notice shall be given by the chief executive. The notice shall be given at least five calendar days prior to the date of dismissal and the employee has the

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right, within that time, to respond in writing and request a pre-termination review. Following notice of intent to dismiss and, if requested by the employee, the pre-termination review, the department head or other designated individual, if the notice of intent to dismiss was not given by the chief executive, shall forward a recommendation to the institution's chief executive ~~or the Chancellor~~. The chief executive ~~or Chancellor~~ shall make a final decision and give written notice of that decision.

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

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- ~~5.~~ ~~6.~~ An employee who voluntarily or involuntarily leaves his or her non-academic position under this policy but holds a tenured faculty appointment may return to that appointment with all the rights and responsibilities of tenured faculty in the home department, unless a proceeding results in the discharge or demotion of the employee from the faculty position. Should the employee decide to return to the faculty appointment, his or her salary will be adjusted from a 12-month salary for the non-academic duties to a 9-month to 12-month faculty salary that is commensurate with the salaries of comparable tenured faculty members, unless a faculty salary was previously set in his or her contract at the time they assumed the non-academic position. Setting the return-to-faculty salary at the time a person with a tenured faculty appointment assumes a non-academic position is the preferred option. Except for positions explicitly exempt as stated in this section 5 or 6, this policy applies to all employees excluded from the broadbanding system who are not members of the academic staff and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff. This policy applies to coaches unless the employing institution has adopted a different policy governing coaches and that policy is stated or adopted by reference in a coach's employment contract, in which case the institution's policy applies. This policy does not apply to faculty; employees with academic appointments are governed by SBHE Policy Sections 605.1, 605.2, 605.3 and 605.4. Staff employees at the institutions are governed by the North Dakota University System Human Resource Policy Manual.

- ~~6.~~ ~~7.~~ Dismissal actions of **regular staff employees** are governed by the NDSU Policies 220 and 231.

- ~~7.~~ ~~8.~~ Dismissal actions of **temporary staff employees** may occur at any time with or without cause (NDUS Human Resource Policy Manual, Section 2).

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- ~~8.~~ ~~9.~~ Dismissal or non-renewal actions for **faculty** are governed by NDSU Policy 350.1-350.4 and 352.

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- ~~9.~~ This policy does not apply to the Chancellor and institution presidents. Subsections 1 and 2 do not apply to student residence hall assistants, work study students and other students employed on a

~~part time basis for a limited term. The terms and conditions of employment for student residence hall assistants shall be stated in a written contract.~~

HISTORY:

New	June 1994
Amended	May 1996
Amended	February 1998
Amended	July 1999
Amended	December 1999
Amended	January 2000
Amended	January 3, 2013
Housekeeping	August 26, 2013
Amended	September 18, 2013
Amended	December 4, 2015
Amended	April 28, 2016
Housekeeping	June 27, 2016

Policy Change Cover Sheet

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

SECTION: 345 Research Involving Human Participants

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

- Is this a federal or state mandate? Yes No
- Describe change:

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

- Research Integrity and Compliance, IRB Office, Kristy Shirley
- Kristy.shirley@nds.edu

This portion will be completed by SCC Secretary (Kelly Hoyt).

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

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

Senate Coordinating Committee:

Responsible Office:

Legal Review:

Faculty Senate:

Staff Senate:

Student Government:

President:

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

North Dakota State University

Policy Manual

SECTION 345 RESEARCH INVOLVING HUMAN PARTICIPANTS

SOURCE: NDSU President

North Dakota State University has provided a formal guarantee to the Office of Human Research Protections, in the Department of Health and Human Services (DHHS), that it will follow procedures which will assure the protection of all human participants involved in [NDSU Federally-funded](#) research projects. [To ensure equivalent protections to all human research participants, this guarantee the NDSU IRB procedures also applies apply](#) to all such research conducted by faculty, students, staff, or other representatives of the University, whether or not the research is sponsored by agencies of the U.S. Government.

In order to comply with this assurance, the University has established an organization competent to review research projects that involve human participants. In compliance with federal provisions (Protection of Human Subjects (45 CFR 46, 21 CFR 50)), the Institutional Review Board (IRB) has been designated to review these projects by the Office of the Vice President for Research and Creative Activity.

The function of the IRB is to assist investigators in the protection of the rights and welfare of human participants. Investigators will not bear the sole responsibility for determining the standards for ethical conduct of research involving human participants. It is necessary for others, who are independent of this research, to share this responsibility. [The University's guidelines for human subject research were approved by the Faculty Senate on October 13, 1986. They have been incorporated into The IRB's a document called, NORTH DAKOTA STATE UNIVERSITY GUIDELINES FOR THE PROTECTION OF HUMAN PARTICIPANTS IN RESEARCH Standard Operating Procedures. Copies of this document are available from the IRB Office, or on the NDSU IRB web page.](#)

Commented [KS1]: The terms of our FederalWide Assurance are changing and the assurance will no longer apply to all research conducted regardless of funding. The Assurance will apply to research funded by one of the 15 agencies which subscribes to the Common Rule (the regulations governing human subjects research).

Commented [KS2]: Several years ago, the "Guidelines" were broken out into several "Standard Operating Procedures."

HISTORY:
New December 18, 1974
Amended April 1992
Amended July 2006
Housekeeping February 14, 2011
Housekeeping May 23, 2011
Housekeeping March 16, 2015

North Dakota State University Policy Manual

SECTION 515 TRAVEL - EMPLOYEES

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

1. GENERAL PROVISIONS

- 1.1 DEFINITION OF "TRAVEL" - (NDSU Interpretation)
For purposes of this policy, except for No. 2 below, the term "travel" means the absence from the city or community where a person normally works and/or maintains an office. For purposes of travel by staff members employed on the University campus their "community" shall include, Fargo, West Fargo, and Moorhead.
- 1.2 MEANS OF TRAVEL - (NDSU Interpretation)
Employees must choose the most prudent and economical means of travel, considering factors such as: travel expenses, time away from the office, and the needs of the University.
- 1.3 ACCOUNTING OFFICE RESPONSIBILITY - (NDSU Interpretation)
The NDSU Accounting Office is responsible for the initial development of NDSU's employee travel expense reimbursement policy, in addition to the final review and approval of individual employee travel expenses. Employees may be contacted by the Accounting Office for more documentation or a cost/benefit justification. The NDSU Accounting Office must apply the travel rules in this policy on a reasonable, fair and consistent basis.
- 1.4 TRAVEL VOUCHER REQUIREMENTS - (NDCC 54-06-09 (6))
Before an allowance for any such mileage or travel expenses may be made, the employee shall file with the employee's department an itemized statement showing the mileage traveled, the hour of departure and return, the days when and how traveled, the purpose thereof, and such other information and documentation as may be prescribed by rule of the employee's department, college, or division.
- (NDCC 44-08-05.1)
Any employee who has the power to approve a voucher for a department shall determine, before approving such voucher, the following:
- 1.4.1 That the expenditure for travel or other expenditures were for lawful and official purposes.
- 1.4.2 If for travel expense, that the travel actually occurred and that the sums claimed for travel expenses are actually due the individual who is seeking reimbursement, allowance, or payment.
- 1.4.3 If the voucher is for expenditure other than travel expense, that the expenditure is lawful and that the voucher contains no false claims.

2. TRAVEL WITHIN THE CITY OF EMPLOYMENT

Employees may be reimbursed for expenses incurred within their "city or community" of employment for the following:

2.1 (NDSU Interpretation)

Parking fees for personal vehicles when conducting University functions or attending University meetings.

2.2 (OMB Policy 507)

Mileage at in-state rates for personal vehicles used to transport equipment or university guests for university functions.

2.2.1 (OMB Policy 507)

Mileage from a normal work station to a conference or meeting is reimbursable, if an employee actually reports to work prior to attendance at the meeting. However, mileage for travel from an employee's residence directly to the conference/meeting site is not reimbursable, since it is considered normal commuting travel.

2.3 (NDSU Interpretation)

Meals may be reimbursed as provided under NDSU Policy 170.

2.4 (NDSU Interpretation)

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

3. OUT-OF-STATE TRAVEL AUTHORIZATION - (NDSU Interpretation)

Employees must have each out-of-state trip pre-approved by their immediate supervisor. In addition, employees in a department, college, or division must have each out-of-state trip pre-approved by their Dean or Director. Deans and Directors who report directly to a Vice President or Provost must have their out-of-state trips pre-approved by their Vice President or Provost. Vice Presidents, Provost, and others reporting directly to the President, must have each out-of-state trip pre-approved by the President. Prior approval is to be obtained by using the Travel Authorization - Out-of-State form.

3.1 WORKERS COMPENSATION - (NDSU Interpretation)

In cases where employees are working out-of-state for 30 consecutive days, or for any international trip, the employee must notify the University Police and Safety Office to arrange proper Workers Compensation coverage.

3.2 FOREIGN TRAVEL AUTHORIZATION - (NDSU Interpretation)

Each trip to a foreign country must be approved by the appropriate Vice President or Provost or their designee.

4. PRIVATELY OWNED TRANSPORTATION - (NDCC 54-06-09)

An employee, when required to travel by motor vehicle or truck in the performance of official duty, should use a state-owned vehicle, whenever possible.

(OMB policy 511)

When an employee drives a state fleet vehicle, the State's liability coverage is primary should an accident occur. If an employee drives a personal vehicle on state business, the employee's personal insurance is primary. If an employee must drive a personal vehicle because no state fleet

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vehicles are available, then the State would have primary responsibility.

(NDCC 44-08-03)

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

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

4.1 IN-STATE MILEAGE - (NDCC 54-06-09 (1a))

The sum of ~~54.53-5~~ cents per mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle.

4.2 (NDCC 54-06-09 (1a))

The sum of 80 cents per mile when such travel is by private airplane.

4.3 OUT-OF-STATE MILEAGE - (NDCC 54-06-09 (3))

If only one person engages in travel exceeding any geographic point 300 miles beyond the borders of this state, reimbursement shall be limited to eighteen cents per mile for the out-of-state portion of the travel beyond the first 300 miles.

(NDSU Interpretation)

When interpreting the law indicated in 4.3 above, it may be helpful to visualize that the state's border has expanded in all directions by 300 miles. When only one person travels outside the state of North Dakota and uses their own vehicle, their miles traveled within the 300 mile expanded border, the employee may be reimbursed at the ~~54.3~~.5 cents per mile rate. This includes both the departure and return parts of the trip.

When two or more state employees travel in the same vehicle, the per mile allowance is ~~54.3~~.5 cents. State employees accompanying the vehicle owner must be listed on the travel voucher.

4.4 (NDCC 54-06-09 (5))

State employees permanently located outside the state or on assignments outside the state for an indefinite period of time, exceeding thirty consecutive days, will be allowed and paid 45 cents per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle. In this case the 300 mile restriction, in 4.3 above, does not apply.

(NDSU Interpretation)

Mileage allowances are assumed to be total operating costs for vehicles. No additional amounts will be reimbursed to employees for personal items such as: traffic or parking tickets, vehicle repairs, or any other normal automobile expenses.

5. COMMERCIAL AIRLINES - (OMB Policy 510)

For travel on official state business, airline tickets may be either purchased through a travel agency and billed to the department, or purchased by the employee and reimbursed. In either case, the original itinerary should be used to support the travel agency payment or employee reimbursement.

Reimbursement to an employee or tickets directly billed to a department will be allowed for the actual cost of tourist or coach fare, purchased at the lowest reasonable rate available, except when approved by the President, or President's designee, unless not permitted by federal rules or regulations. Approvals must be filed in the President's Office. First Class or Business Class tickets should normally be through a frequent flyer upgrade or the employee should use frequent flyer miles earned via state travel. Invoices from third parties (like travel agencies) must identify if travel is First Class or Business Class.

5.1 (NDSU Interpretation)

If the ticket is paid by the employee in a month prior to the travel dates, with appropriate department approval, the employee may be reimbursed immediately after the ticket is paid using an accounts payable voucher.

5.2 (NDSU Interpretation)

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

6. MEAL REIMBURSEMENTS - (NDCC 44-08-04)

Reimbursement is allowed only for overnight travel or other travel, away from the normal place of employment, for four hours or more. Verification of expenses by receipt is required only for lodging expenses.

6.1 DEFINITION - QUARTERS - (NDCC44-08-04 (2)) (NDSU Interpretation italicized)

For purposes of employee meal and lodging reimbursements, state law defines the four quarters of a day as follows:

First quarter shall be from six (6) a.m. to twelve (12) noon. No reimbursement may be made if travel begins after seven (7) a.m.

Second quarter shall be from twelve (12) noon to six (6) p.m. (No reimbursement will be made for this quarter if travel begins after one (1) p.m. or ends prior to twelve (12) noon.)

Third quarter shall be from six (6) p.m. to twelve (12) midnight. (No reimbursement will be made for this quarter if travel begins after seven (7) p.m. or ends prior to six (6) p.m.)

Fourth quarter shall be from twelve (12) midnight to six (6) a.m. (This quarter pertains to claiming lodging expense.)

6.2 CONFERENCE, SEMINAR, OR OTHER MEETING - (NDCC 44-08-04 (1))

Claims may also be made for meals that are included as part of a registration fee for a conference, seminar, or other meeting and for meals attended at the request of and on behalf of the University; however, if a meal is included in a registration fee, the applicable quarter's meal allowance cannot be claimed for that meal.

6.3 TAXABLE MEALS - (NDSU Interpretation of IRS regulations)

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

6.4 PAYMENT FOR MEALS OF STAFF & GUESTS, WHILE IN TRAVEL STATUS -

(NDSU Interpretation)

NDSU Policy 170 allows reimbursement to employees for meals of staff and guests, even though the employee is not in travel status. Employees while in travel status may also occasionally encounter meal expenses when they are required to be at a meeting and there is a need to pay for meals of guests, such as when interviewing candidates, recruiting, or fund raising.

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

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

6.5 TEAM TRAVEL - (Excerpt from NDCC 44-08-04, Subsection 1)

If a higher education athletic team or other organized institution organization group meal is attended at the request of and on behalf of the institution, actual expenses for the entire group, including coaches, trainers, and other employees, may be paid or submitted for payment of a team or group travel expense report: subsection 2 does not apply; and officers and employees are not required to document individual expenses or submit individual travel reimbursement vouchers.

(NDSU Interpretation)

Meal expenses of athletic department employees, when traveling with student athletes to games, are covered by travel advances issued from the Accounting Office. These meals are attended at the request of and on behalf of the University and, therefore, the meals are paid from the travel advance at the actual cost of the meals, in accordance with the Athletic department meal reimbursement guidelines for student athletes. Since the meals are paid out of the travel advance, it is not necessary for the employees involved in the team travel to complete a travel voucher to claim reimbursement for the meals.

As an alternative to actual meal costs, some head coaches may prefer to distribute a cash per diem to the employees and student athletes. The cash per diem is distributed from the travel advance for the individual to use for meals. The cash per diem for employees must not exceed the meal allowance allowed policy and must not exceed the Athletic department meal reimbursement guidelines for student athletes. Since the employee cash per diem is paid from a travel advance, it is not necessary for the employee to complete a travel voucher to claim reimbursement for the meals.

6.6 MEAL ALLOWANCE RATES - (NDCC 44-08-04 (2))

Meal reimbursement rates depend upon the time of day the employee is in travel status and whether the travel is in-state or out-of-state. Verification of receipts shall not be required for the first three quarters listed above in Section 6.1.

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

For travel prior to August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	\$ 30.00	\$ 6.00	\$ 9.00	\$ 15.00

For travel on or after August 1, 2013, in-state rates are as follows:

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
In-State	\$ 35.00	\$ 7.00	\$ 10.50	\$ 17.50

6.6.2 OUT-OF-STATE, WITHIN CONTINENTAL U.S. - (NDCC 44-08-04 (3))

The allowance for out-of-state meals, within the continental United States, is equal to per diem meals rate in the city for which a claim is made on that day as established by the United States general services administration and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)

The standard meal allowance rate (per diem) for cities in the continental United States is currently \$51.00 per day effective 10/01/2015. The North Dakota Office of Management and Budget (NDOMB) web site shows the official current out-of-state meal allowance rates that NDSU will follow. The NDOMB web site includes a [listing of cities](#) whose meal allowance rates are higher than the standard rate.

The table below (effective 10/01/2015) shows examples of how the meal allowance per diem is split between the first quarter or breakfast (20%), second quarter or lunch (30%), and third quarter (50%).

Location	Daily Total	First Quarter	Second Quarter	Third Quarter
Out-of-State, within continental U.S. (depending on city) <u>Standard Rate</u>	\$ 51.00	\$ 10.20	\$ 15.30	\$ 25.50
(depending on city)	\$ 54.00	\$10.80	\$ 16.20	\$ 27.00
(depending on city)	\$ 59.00	\$11.80	\$ 17.70	\$ 29.50
(depending on city)	\$ 64.00	\$12.80	\$ 19.20	\$ 32.00
(depending on city)	\$ 69.00	\$ 13.80	\$ 20.70	\$ 34.50
(depending on city)	\$ 74.00	\$ 14.80	\$ 22.20	\$ 37.00

6.6.3 NON-CONTINENTAL UNITED STATES AND OVERSEAS NONFOREIGN AREAS - (NDCC 44-08-04 (4))

The allowance for meals in noncontinental United States and overseas nonforeign areas, including Alaska, Hawaii, and Guam, is equal to the per diem meals rate in the city for which a claim is made on that day as established by the rule for federal employees established by the United States per diem committee and must be

allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU interpretation)

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

6.6.4 FOREIGN TRAVEL - NDCC 44-08-04(5))

The allowance for meals outside the United States is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees established by the United States department of state and must be allocated twenty percent to the first quarter, thirty percent to the second quarter, and fifty percent to the third quarter.

(NDSU Interpretation)

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

7. LODGING REIMBURSEMENTS - (NDCC 44-08-04 (1)(2d)(6)) *(NDSU Interpretation italicized)*

Reimbursement for in-state lodging expenses incurred while in travel status during the fourth quarter shall not exceed 90% of the rate established by the United States General Services Administration (GSA) for North Dakota, plus applicable state or local taxes on lodging. For travel on or after October 1, 2016, the GSA rate for lodging in North Dakota was \$91; therefore, the maximum amount that can be claimed is \$81.90, plus applicable taxes. For travel on or after October 1, 2017, the GSA rate for lodging in North Dakota is \$93, therefore the maximum amount that can be claimed is \$83.70 plus applicable taxes ($\$93 \times 90\% = \83.70).

The GSA will update their rates periodically during the biennium and the allowable lodging reimbursement will also change at that time. See the city/county rate exceptions, found on the Accounting website. The amounts shown are 90% of the GSA rates and are the maximum state reimbursable rates that can be claimed, plus applicable state and local taxes.

Out-of-state lodging expenses shall be reimbursed at actual expense.

An original lodging receipt is required for reimbursement to the employee. *(When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost.)*

7.1 IN-STATE LODGING RATES OVER MAXIMUM - (SBHE 806.1.10)

In the unlikely situation an employee cannot find lodging at 90% of the GSA rate, the following process needs to be followed:

7.1.1 Prior-approval by campus designated approver must be obtained.

7.1.2 The request must document the name of the employee, name of city traveling to, dates of lodging, name and local phone number of the lodging facility, the rates quoted for the dates of travel or if there were no available rooms. A minimum of 3 facilities should be contacted. If traveling to a North Dakota community that does not have 3 lodging facilities, indicate on documentation.

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7.1.3 This documentation must be attached to the travel reimbursement form.

7.1.4 Occasionally, additional documentation will be requested to ensure the most cost-effective rates possible were obtained.

7.1.5 *If a room is more than the 90% maximum GSA rate for North Dakota, allowed in section 7, above, the additional taxes eligible for reimbursement must be pro-rated. For example (using the \$ 83.70 maximum rate): if the room is \$90.00 and taxes are \$13.50, the individual will be reimbursed \$ 83.70 plus \$ 12.56 pro-rated taxes ($\$83.70/90.00 \times \$13.50 = \$ 12.56$).*

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

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

EXCEPTIONS - (NDSU Interpretation)

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

(NDSU Interpretation)

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

7.2.2 *(NDSU Interpretation)*

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

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

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

7.4 ROOM SHARING - (NDSU Interpretation)

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

(OMB Policy 513)

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

8. MISCELLANEOUS TRAVEL EXPENSES - (NDSU Interpretation)

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

8.1 ENTERTAINMENT & PERSONAL EXPENSES - (NDSU Interpretation)

Employee entertainment or other personal expenses are not reimbursable. Expenses claimed by an employee that appear to fall in this category, will need additional justification to support claiming them as necessary business expenses.

8.2 CAR RENTAL - (OMB Policy 518)

8.2.1 The university will reimburse an employee for car rental if the employee used an aircraft to get to their destination, and if the use of the vehicle is sufficient to justify that mode of travel instead of a taxi. It is generally the policy to discourage car rentals unless their cost effectiveness is self-evident.

8.2.2 When renting a car for university business, purchase of additional insurance is not necessary because it is covered by the State's Risk Management Fund. However, the North Dakota Risk Management Division does recommend purchasing the liability insurance if renting outside the United States. Also, when out of the country, it is advisable to purchase the loss damage waiver as well. Employees should consider what coverages the employee's personal auto insurance provides.

8.3 TIPS AND OTHER CHARGES - (NDSU Interpretation)

Reasonable tips, not to exceed \$5.00 per tip, and service charges that are a necessary part of the business trip are reimbursable. Examples include: tips to bellhops and taxicab drivers. No reimbursement is allowed for tips on meals that are covered by the meal allowance

8.4 LOST RECEIPTS - (NDSU Interpretation)

When an original receipt is lost, a photocopy or faxed invoice should be obtained with a notation by the employee that the original receipt was lost. Credit card receipts are not sufficient.

9. TRAVEL ADVANCES - (NDCC 44-08-04.2)

The Accounting office may approve a travel advance to employees for payment of meal and lodging expenses incurred while the employee is traveling on official business of this state, provided that such travel is planned to be in excess of five days per month, and provided that the funds advanced do not exceed eighty percent of the estimated expenses for the period.

NDSU LIMITATIONS - (NDSU interpretation)

Funds advanced for meals and lodging must be accounted for as required by this Policy. Travel advances may not be made from state appropriated funds. A travel advance form is available to request an advance. The Accounting Office will generally limit travel advances to the following two situations:

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

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

HISTORY:

New	July 20, 2000
Amended	July 2001
Amended	June 2003
Amended	October 2003
Amended	August 2005
Amended	February 2006
Amended	October 2007
Amended	January 2008
Amended	July 17, 2009
Housekeeping	October 6, 2009
Housekeeping	February 2010
Amended	July 2010
Housekeeping	September 2010
Housekeeping	January 5, 2011
Housekeeping	June 15, 2011
Housekeeping	August 18, 2011
Housekeeping	January 27, 2012
Housekeeping	April 23, 2012
Housekeeping	October 10, 2012
Housekeeping	January 10, 2013
Housekeeping	July 30, 2013
Housekeeping	September 18, 2013
Housekeeping	December 31, 2013
Housekeeping	March 3, 2014
Housekeeping	December 31, 2014
Housekeeping	April 29, 2015
Amended	June 22, 2015
Housekeeping	September 30, 2015
Housekeeping	December 31, 2015
Housekeeping	September 7, 2016
Housekeeping	December 30, 2016
Housekeeping	October 1, 2017
Housekeeping	October 10, 2017

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SECTION 700 SERVICES AND FACILITIES USAGE

SOURCE: NDSU President

1. As a general rule, campus services may be used only by: 1) University employees for purposes related to their official responsibilities, or 2) off-campus organizations for non-profit, nonpolitical purposes, provided that the specific use of a campus service is sponsored by a University department or University-related organization as a part of its official function.
 - 1.1 The administrator directly in charge of any such service shall have the authority to allow an exception to this general rule in any case involving unusual circumstances and appropriate justification.
 - 1.2 This policy is specifically applicable to the University Copy Centers, the campus mail system, and mailing labels, or employee lists maintained by any other University office.
2. Computer generated name and address lists or labels of higher education employees may only be prepared for individuals and organizations directly affiliated with the University to assist in performing a bona fide University activity. Such individuals and organizations must request lists or labels from the Office of Human Resources/Payroll.
 - 2.1 Other individuals and commercial or non-profit organizations may obtain employee names, addresses, and telephone numbers from the University directory, available for purchase at the NDSU Bookstore.
3. Unauthorized sales or solicitations are not allowed on campus. Unauthorized sales or solicitations at any time in the residence halls, University apartments, or in any other campus buildings, including academic and administrative buildings, are prohibited. For questions regarding sales in the Memorial Union, see the Memorial Union Director. For questions regarding sales in Residence Life facilities, see the Senior Associate Director of Residence Life. For questions concerning sales in any other areas, contact the [Dean of Student Life Office, Memorial Union Facilities Management Director](#).

See also NDSU Policy 601, subsection [4.194.10](#) and ~~section 8~~, and Policy 150.
4. Candidates for political or public office who wish to use campus facilities must comply with University rules and regulations. NDSU has adopted specific campaign procedures for local, state, and national elections. ~~Copies of the policies can be obtained from the Dean of Student Life office.~~ These policies govern canvassing, placement of brochures and materials, and use of the Student Union and University housing. Door to door campaigning or canvassing is not permitted in academic buildings. These buildings are restricted to educational purposes. For use of facilities by University employees, see Policy 160, number 13.
5. All filming, videotaping, and still photography on University property or at University sponsored events for commercial purposes (including political advertising) must be approved and coordinated by University Relations, Old Main 204. "Commercial purpose" does not include news media

reporting or outside use of University property for personal use (like wedding pictures).

The request must be in writing and include: name of organization, contact person, location, requested dates and detailed description of project. A contract must be signed prior to any activity beginning on University property or at a University sponsored event. The project can't disrupt normal operations of the University. For restrictions on the use of state property for political activities see also, NDSU Policy 160.

HISTORY:

New	April 15, 1976
Amended	March 14, 1986
Amended	March 1993
Amended	November 1995
Amended	March 2005
Amended	March 2006
Amended	October 2007
Housekeeping	July 2009
Housekeeping	August 2009
Housekeeping	January 27, 2012

Policy Change Cover Sheet

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



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

SECTION:

Policy 352 – Promotion, Tenure and Evaluation
Section 3.3 COLLEGE AND DEPARTMENTAL PROMOTION, TENURE,
POST-TENURE, AND EVALUATION CRITERIA
Section 6 PTE PROCEDURES

1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change:
 - Sec. 3.3: Amends criteria for promotion to full professor by allowing candidates to (1) choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion, and (2) choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.
 - Sec. 6: Replaces references to specific calendar deadline dates (e.g., November 1) with "PTE timeline".
2. **This policy change was originated by (individual, office or committee/organization):**
 - Office/Department/Name and the date submitted: Ad Hoc Committee of the Faculty Senate for Review of Policy 352 – submitted 1-18-2018
 - Email address of the person who should be contacted with revisions: Alan.Denton@ndsuh.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

North Dakota State University

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SECTION 352

PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

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

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

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

2.2.1 TEACHING

- 2.2.1.1 CRITERIA In the areas of teaching (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:
 - 2.2.1.1.1 The effective delivery of instruction to and the stimulation of learning by students and/or clients;
 - 2.2.1.1.2 the continuous improvement of courses or instructional programs;
 - 2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.
- 2.2.1.2 EVIDENCE A candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:
 - 2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;
 - 2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge;
 - 2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;
 - 2.2.1.2.4 the dissemination of best practices in teaching;
 - 2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

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

- 2.2.2.1.1 contributions to knowledge, either by discovery or application, resulting from the candidate's research, and/or
- 2.2.2.1.2 creative activities and productions that are related to the candidate's discipline.
- 2.2.2.2 EVIDENCE A candidate demonstrates quality of research by providing evidence of completed original work (i.e. published/in press, exhibited, or funded) from multiple sources such as:
 - 2.2.2.2.1 presentation of scholarly or professional papers, and publication of books or articles;
 - 2.2.2.2.2 juried or invited presentations or productions in the theater, music, or visual arts, design, and architecture;
 - 2.2.2.2.3 the development and public release of new products or varieties, research techniques, copyrights, and patents or other intellectual property ;
 - 2.2.2.2.4 peer evaluation of research by colleagues from an individual's discipline or area of expertise;
 - 2.2.2.2.5 the receipt of awards or special recognition for research ;
 - 2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

- 2.2.3.1 CRITERIA In the areas of service (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure and post-tenure review:
 - 2.2.3.1.1 contributions to the welfare of the department, college, university, or profession, and/or
 - 2.2.3.1.2 contributions to the public that make use of the faculty member's academic or professional expertise.
- 2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:
 - 2.2.3.2.1 the receipt of awards or special recognition for service;
 - 2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;
 - 2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;

- 2.2.3.2.4 active participation and leadership in University governance and programs at the department, college, university and system levels;
- 2.2.3.2.5 contributions to fostering a campus climate that supports and respects faculty, staff, and students who have diverse cultures, backgrounds, and points of view;
- 2.2.3.2.6 effective management or improvement of administrative procedures or programs;
- 2.2.3.2.7 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;
- 2.2.3.2.8 contributions to the operation of state or federal agencies.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and specific promotion and tenure criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

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

- 3.1. Each academic unit is responsible for refining the University promotion, tenure, post-tenure, and evaluation criteria and applying those criteria within the special context of the unit. Thus, each academic unit will develop specific promotion, tenure, post-tenure, and evaluation criteria and designate the types of evidence to be used for evaluation of progress toward tenure, for renewal, promotion, and tenure decisions, and for post-tenure review. Within the framework of the University's promotion and tenure criteria, each academic unit shall specify the relative emphasis on teaching, research, and service, and the extent to which a faculty member's assigned responsibilities can be allocated among teaching, research, and service. Expectations for faculty in Professor of Practice and Research Professor positions may differ from those for tenure-line faculty.
- 3.2. A statement of promotion, tenure, post-tenure, and evaluation criteria specific to each college shall be developed by the Promotion, Tenure, and Evaluation (PTE) committee of the college in consultation with the Dean and approved by the faculty of the college. The faculty of each department shall also develop a statement of criteria for promotion, tenure, post-tenure, and evaluation that shall be reviewed and approved by the college PTE committee and the Dean to assure consistency with the college promotion, tenure, post-tenure, and evaluation criteria. The college and departmental statements, and any subsequent changes, shall be reviewed and approved by the Provost assure consistency with University and State Board of Higher Education (SBHE) policies.
- 3.3. For probationary faculty, and for non-tenure-line faculty at the assistant rank, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit that were provided to the candidate at the time of the candidate's appointment to the position. The

dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured and non-tenure-line candidates for promotion to the rank of full professor may choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion. Thereafter, candidates shall be evaluated by the criteria in effect at the time of application. Candidates applying for promotion to the rank of full professor more than eight years after the previous promotion may choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.

3.4. Faculty Hired Without Previous, Relevant Experience

For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.

3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum number of years of tenure credit offered.

There are two options:

3.5.2.1 Faculty may be hired with one to three years of tenure credit. For each year of tenure credit awarded, one year shall be subtracted from the tenure application deadline. For example, given one year of credit, promotion and tenure application would be due in the fifth year of service; given three years, the application would be due in the third year of service. Faculty accomplishments during the tenure credited years are included as accomplishments in the faculty member's promotion and tenure portfolio. Requirements for promotion and tenure shall be adjusted according to the years at NDSU to maintain productivity at the same rate as that expected for promotion and tenure without tenure credit; for example, if six quality publications are required in the six-year probationary period for promotion and tenure, then one quality publication shall be required for each year the faculty member is at NDSU.

Commented [AD1]: Amends criteria for promotion to full professor by allowing candidates to (1) choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion, and (2) choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.

- 3.5.2.2 Faculty may be allowed the full six-year probationary period with the option of applying for promotion and/or tenure at any time following three years of academic service. How prior work is considered must be specified in the appointment letter.
- 3.5.2.3 For either option, failure to achieve tenure will lead to a terminal year contract. 3.6 Extensions to Probationary Period, apply in all other cases.

3.5.3 Any exceptions to Section 3.5 must be approved by the President.

3.6 Extension of Probationary Period

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

3.6.1 Extension of Probationary Period for Childbirth or Adoption

A probationary faculty member who becomes the parent of a child (or children in case of twins, triplets, etc.) by birth or adoption, prior to the year in which the portfolio is due, will automatically be granted a one-year extension of the probationary period upon written notification to the Provost. While NDSU supports the use of the extension, the probationary faculty member has the option at any time after the birth or adoption to return to the original schedule of review. Any additional extensions beyond the one year (per birth/adoption occurrence, not to exceed three years total extension) must be requested under the provisions of 3.6 above.

3.6.2 Extension of Probationary Period for Personal Illness or Disability

A probationary faculty member who experiences a personal illness or disability may request an extension of his/her probationary appointment. Medical documentation of the personal illness or disability is required. Such documentation shall be collected and housed by the Office of Human Resources/Payroll following guidelines provided in NDSU Policy 168. However, the Office of Human Resources/Payroll shall not make recommendations to the Provost pertaining to probationary period extension requests. The faculty member will grant the Provost access to Human Resources records relevant to the request. The Provost shall maintain strict confidentiality of

such documentation. Written notification of the request for an extension, along with supporting documentation, must be provided to the Provost.

3.6.3 Extension of Probationary Period for Institutional Circumstances

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

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

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

3.6.5 Confidentiality

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

shall be maintained in a confidential file separate from the employee's official personnel file in the Office of the Provost. It is understood that some information provided pursuant to this policy may be subject to disclosure pursuant to North Dakota open records laws.

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

Related Policies and Procedures:

Policy 156. Discrimination, harassment, and retaliation complaint procedures (<http://www.ndsu.edu/fileadmin/policy/156.pdf>)

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

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

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

4. PERIODIC REVIEW

- 4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.
- 4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.
- 4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.
- 4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.
- 4.5 While faculty in Professor of Practice and Research Professor positions are not eligible for tenure, promotion through ranks is encouraged and is based on time in rank and

satisfactory evaluations of assigned responsibilities. An application for promotion is initiated via a departmental recommendation and follows the same procedure and submission deadlines as for tenure-line faculty. Faculty in such positions are eligible to apply for promotion from assistant to associate after the completion of five years in rank.

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

5. COMPOSITION OF PTE COMMITTEES

- 5.1 Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.
- 5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for election to a college or department PTE Committee. Prior to commencement of deliberations, the chair of any PTE committee must have received PTE committee training within the last three years, provided through the Office of the Provost. Faculty members and administrators being considered for promotion may not be involved in any candidate review and recommendation process, including the selection of external reviewers, while under consideration.
- 5.3 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic administrative

appointment" includes appointments as President, Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and/or evaluate other faculty are eligible to serve.

- 5.4 A college PTE committee member who has voted on the promotion/tenure of a candidate in the department PTE committee shall be recused from the vote by the college PTE committee. In such a case, college policy shall determine whether the committee member may or may not deliberate with the committee on the candidate.
- 5.5 Faculty members, including administrators, who participate in the PTE process shall be recused from deliberations and decisions regarding a candidate if there is a past or current relationship that compromises, or could have the appearance of compromising, a faculty member's judgment with regard to the candidate. The following list, while not exhaustive, illustrates the types of relationships that constitute a conflict of interest:
- A family relationship
 - A marital, life partner or dating/romantic/intimate relationship
 - An advising relationship (e.g., the faculty member having served as the candidate's PhD or postdoctoral advisor)
 - A direct financial interest and/or relationship
 - Any other relationship that would prevent a sound, unbiased decision

Recusal due to a conflict of interest with one candidate does not prevent a faculty member from participating in deliberations and decisions regarding other candidates.

6. PTE PROCEDURES

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

https://www.ndsu.edu/fileadmin/provost/PTE/PTE_Timeline.pdf

- 6.2 After ~~November 1~~ the Provost's deadline for submission of the portfolio to the Dean's office, as stated on the PTE Timeline, the information that may be added to the portfolio is limited to
- a) Recommendations by the evaluating units considering the portfolio at that time;
 - b) the candidate's response to those recommendations;
 - c) any materials requested by the evaluators.
- 6.2.1 Candidates may petition the college Dean and PTE committee to add additional materials after the deadline. The Dean and PTE committee must both agree to the addition in order for additional material to be added.
- 6.2.2 Any additional materials added to the portfolio must pertain to information or material already in the portfolio, such as pending publications or grant proposals.

Commented [AD2]: Replace references to specific calendar deadline dates (e.g., November 1) with "Provost's deadline".

- 6.3 Unsolicited individual faculty input is limited to the department level of review.
- 6.4 Recommendations and any other materials collected as part of the evaluation process at the department, college, and university levels must be added to the candidate's portfolio before being sent forward to the next level of review. At the time that any written materials are added to the candidate's portfolio, copies of the added material must be sent to the candidate for review. The candidate shall have 14 calendar days to respond in writing to the additional materials. Any response from the candidate to such materials must be in writing and must be included in the portfolio for review at the next level.
- 6.5 Allegations of misconduct discovered after ~~November 1~~ [the Provost's deadline for submission of the portfolio to the Dean's Office](#) that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended until the allegations are resolved. Once the PTE process resumes, the candidate may update the portfolio.
- 6.6 Colleges and departments shall document that they have followed all procedures; e.g., by a comprehensive checklist of the steps in the PTE process. The documentation must be included in the portfolio.
- 6.7 The College PTE Committee and the College Dean shall separately and independently review and evaluate the candidate's portfolio without discussion or communication.
- 6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost ~~by January 5~~ [according to the PTE Timeline](#). A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.
- 6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost ~~according to the PTE Timeline by January 5~~. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.
- 6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.
- 6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.
- 6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall

be included in the portfolio.

- 6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

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

8. DOCUMENT RETENTION

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

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015
Amended	January 27, 2016
Amended	April 11, 2016
Amended	September 8, 2016
Amended	April 12, 2017
Housekeeping	April 19, 2017

**University Curriculum Committee Report
For Faculty Senate Meeting on February 12, 2018**

New Programs
Undergraduate Entrepreneurship Certificate
Minor in Entrepreneurship
Master of Landscape Architecture

Program Changes
BSME to MS in Mechanical Engineering – new accelerated program
Undergraduate certificate in Professional Selling – added AGEC 350 as an elective choice

New Courses				
Subject	No.	Title	Crs.	Effective Term
MRKT	465	Digital Marketing	3	Summer 2018
VETS	385L	Veterinary Parasitology Lab	1	Fall 2018
VETS	386L	Veterinary Hematology Lab	1	Fall 2018
VETS	455	Veterinary Applied Pharmacy Practice	1	Fall 2018

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
BUSN	489	Strategic Management	4	BUSN	489	Strategic Management	3	Fall 2018
MUSC	705	Graduate Diction Survey	3	MUSC	705	Graduate Diction Survey I	2	Summer 2018
PHRM	455	Introductory Pharmacy Practice Experience II: Introduction to Community Based Patient Care	3	PHRM	455	Introductory Pharmacy Practice Experience II: Introduction to Community Pharmacy Practice	4	Summer 2018
PHRM	535	Neoplastic Disease	3	PHRM	535	Hematology and Oncology	3	Fall 2018
STAT	774	Linear Models I	3	STAT	774	Generalized Linear Models	3	Fall 2018
VETS	255	Fundamentals of Veterinary Radiography	2	VETS	255	Veterinary Diagnostic Imaging	2	Summer 2018
VETS	255L	Fundamentals of Veterinary Radiography Laboratory	1	VETS	255L	Veterinary Diagnostic Imaging Lab	1	Summer 2018
VETS	357	Veterinary Pharmacology	3	VETS	457	Veterinary Pharmacology	2	Fall 2018
VETS	359	Veterinary Hospital Information and Procedures	2	VETS	259	Veterinary Hospital Information and Procedures	2	Spring 2019
VETS	385	Veterinary Clinical Pathology I	3	VETS	385	Veterinary Parasitology	2	Fall 2018
VETS	386	Veterinary Clinical Pathology II	3	VETS	386	Veterinary Hematology	2	Fall 2018

Change in Prerequisites/Co-Requisites and Change in Bulletin Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite/Description Change	Effective Term
BUSN	489	Strategic Management	Desc: Analysis of strategic business issues, and integration of business-related knowledge and cross-functional business principles through experiential exercise. Capstone for all College of Business majors. Co-req: BUSN 430	Fall 2018
HNES	141	Food Sanitation	Change of grading basis: P/F	Spring 2019
MUSC	705	Graduate Diction Survey I	Desc: A survey of diction training in English and Italian.	Summer 2018
PHRM	355	Introductory Pharmacy Practice Experience I: Introduction to Institutional Pharmacy Practice	Desc: IPPE I is designed to be an introduction to institution based pharmacy practice. This course consists of a 3 week, 120 hour, unpaid, supervised pharmacy practice experience in an institutional pharmacy setting and required reflections. Prereq: PSCI 367, PSCI 368, PSCI 410, PSCI 411, PSCI 412, PSCI 470, PHRM 340, PHRM 341, PHRM 350, PHRM 351L, PHRM 352 and MICR 470.	Summer 2018
PHRM	455	Introductory Pharmacy Practice Experience II: Introduction to Community Pharmacy Practice	Desc: IPPE II is designed to be an introduction to community based pharmacy practice. This course consists of a 4 week, 160 hour, unpaid, supervised pharmacy practice experience in a community pharmacy setting and required reflections. Prereq: PSCI 367, PSCI 368, PSCI 369 PSCI 410, PSCI 411, PSCI 412, PSCI 470, PHRM 340, 450, and PHRM 341, PHRM 350, PHRM 351L, PHRM 352, PHRM 400, PHRM 450, PHRM 452L, PHRM 480, PHRM 565 and MICR 470. 452L each with a grade of C or higher Summarized as: successful completion (Grade of "C" or better) first professional year coursework, PHRM 400, PHRM 450, PHRM 452L, and PHRM 565.	Summer 2018
PHRM	535	Hematology and Oncology	Desc: This course provides a framework for understanding the role molecular biology plays in the	Fall 2018

			pathophysiology and treatment of the most prevalent oncologic and hematologic malignancies, as well as benign and drug-induced hematologic conditions. Students will apply evidence-based principles in assessing/monitoring appropriate therapy for these patients.	
PHRM	560	Specialty Care Topics	Desc: This course will provide knowledge of specialty topics encountered in pharmacy practice. Prereq: PHRM 537, PHRM 538 both completed with a grade of "C" or higher.	Spring 2019
VETS	249	Veterinary Hospital Information and Procedures	Prereq: Accepted into the professional portion of the Veterinary Technology program.	Spring 2019
VETS	255	Veterinary Diagnostic Imaging	Desc: The study of diagnostic radiograph production, including: x-ray machine operation, dark room procedures, radiographic positioning, and radiation safety. Ultrasound and other forms of alternative imaging will also be discussed. Prereq: VETS 125, VETS 135, VETS 136 and VETS 256 and acceptance into the professional Veterinary Technology program.	Summer 2018
VETS	255L	Veterinary Diagnostic Imaging Lab	Prereq: Acceptance into the professional portion of the Veterinary Technology program.	Summer 2018
VETS	385	Veterinary Parasitology	Desc: Study of parasitology principles commonly dealt with in veterinary medicine. Co-req: VETS 385L Prereq: Acceptance into the professional portion of the Veterinary Technology program.	Fall 2018
VETS	386	Veterinary Hematology	Desc: Study of hematology in mammals with a veterinary medicine emphasis. Co-req: VETS 386L Prereq: Acceptance into the professional portion of the Veterinary Technology program.	Fall 2018
VETS	457	Veterinary Pharmacology	Desc: Students will learn about veterinary drugs, how they work, and how they are used, so that students can safely, knowledgably, and confidently administer and dispense drugs in veterinary practice. Co-req: VETS 455 Prereq: Acceptance into the professional portion of the Veterinary Technology program.	Fall 2018

Course Inactivation				
Subject	No.	Title	Crs.	Effective Term
HDFS	182	Wellness and Aging	3	Fall 2018
HDFS	350	Fundamentals of Hospital Child Life	3	Summer 2018
VETS	259	Small Animal Diseases	2	Fall 2018

General Education Administrative Policies

1. General education courses may be used to satisfy requirements for both general education requirements and the major, minor, and program emphases, where applicable.
2. Departments or colleges may preclude their students from double counting general education courses with major courses.
- ~~3. Department or college requirements for graduation may include general education courses that exceed the university minimum required for general education.~~
- 4.3. Except for courses that meet the cultural diversity or global perspectives requirements, no course can fulfill the requirements for more than one general education category.
- 5.4. General education requirements can be met through the College Level Examination Program (CLEP), DSST, International Baccalaureate (IB) credit by exam, departmental examinations, the Advanced Placement program (AP) of the College Entrance Examination Board, or equivalents.
- 6.5. General education requirements can be met by successful completion of a course for which an approved general education course in the same department is a prerequisite or by successful completion of an advanced course in the same department with comparable course content.
- ~~7. No general education course may be taken for graduate credit.~~
- 8.6. Except for courses offered only on a pass/fail basis, no courses taken to meet the general education requirements may be taken for pass/fail grades.
- 9.7. The general education minimum requirements apply to all baccalaureate degree programs.
- 10.8. Transfer students who have only partially fulfilled general education category requirements by transfer-approved courses must complete the requirements in approved courses within the NDSU deficient categories. No category credit requirement may be deficient by more than a partial semester credit. However, in the communication category, if the transfer course(s) have been evaluated as equivalent to ENGL 110 College Composition I, ENGL 120 College Composition II, and COMM 110 Fundamentals of Public Speaking and total no less than eight semester credits, the lower-division category requirement has been met. ~~Transfer students meet NDSU's general education "College Composition I and/or College Composition II" requirement in the lower-division Communication category if they have credit in any English course (in composition, composition and literature, or the equivalent) totaling at least 2.67 semester credits per course. The total for all general education categories must be at least 39/40 semester credits for new students.~~
9. Students may receive placement credit for ENGL 110 College Composition I based on a minimum English ACT score (or SAT equivalent) and satisfactory performance (grade of 'C' or better) in ENGL 120 College Composition II or equivalent.
- ~~11.10. A student who has completed an associate of arts or an associate of science degree general education program in the United States or Canada consisting of a minimum of 36 semester credits at a regionally accredited institution and who transfers to NDSU or who pursues a second baccalaureate degree at NDSU is considered to have completed his or her lower-division general education requirements at NDSU. Transfer student~~

coursework from outside the United States and Canada will be evaluated on a course-by-course basis. ~~[NOTE: Undergraduate curriculum guides identify courses in the general education section of the guide that typically satisfy both general education and major requirements. These courses must still be satisfied as part of the major requirement and cannot be waived by general education policy #12.]~~

11. General education courses at other accredited institutions, which do not have equivalent courses or general education status at NDSU, may be accepted in transfer as part of the general education requirements at NDSU.

12. All general education course syllabi and course web sites must identify the course as having been approved for meeting general education requirements and include the general education outcomes for which each course is approved. (See [Syllabus Requirements](#))

~~12.8.~~ 13. ~~Effective spring semester 2015,~~ Students who have completed basic military training (which is the commitment for enlistment) will receive a waiver for the Wellness category. Military record documentation is required for the waiver; documentation is to be submitted to the Office of Registration and Records with a completed Appeal for Exception to General Education Requirements form. The waiver for the training will not lead to course credit, and all other minimum graduation requirements apply.

Transfer and Test Credit

Transfer credit evaluations are conducted in the [Office of Registration and Records](#). The evaluation process begins after a student is admitted to the university by the [Office of Admission](#), or has completed the reactivation process with the Office of Registration and Records, if a returning NDSU student. The evaluation process takes 6-8 weeks on average.

Evaluation of Transfer Credit from U.S. Institutions

The Office of Registration and Records administers the NDSU policies governing the acceptance of college credit from outside institutions. These requirements apply to returning students who have attended other institutions, as well as new NDSU students. Before credits may be evaluated for specific NDSU course equivalency or application to programs of study, transfer courses must be accepted for university credit according to the following criteria:

1. [Credit by examination](#), ~~or~~ College-level coursework from regionally accredited colleges or universities (or equivalent for international institutions), ~~and~~ [Joint Service transcripts](#) ~~are is~~ eligible for acceptance in transfer.
2. [Course repeats](#)
 - a. [Courses repeated elsewhere prior to attending NDSU will be accepted in transfer as indicated on the transferring institution's official transcript. Transfer courses taken from multiple institutions that have the same NDSU equivalent will be considered as a repeated course, and only the most recent attempted course will be accepted for transfer. equivalent will be accepted individually as a special circumstance.](#)
 - b. Courses will not be accepted in transfer to replace any grades or credits earned [and on record](#) at NDSU. If a course is completed at NDSU and an attempt is made to repeat that course elsewhere, the course is considered duplication and is not eligible for transfer. (See also [Repeated Courses](#) policy)
- ~~2.3. Repeated courses will be accepted in transfer as indicated on the institution's official transcript. Transfer courses taken from multiple institutions that have the same NDSU equivalent will be accepted individually as a special circumstance.~~
- ~~3.4.~~ Credit for a remedial course is not accepted for transfer if the course is remedial by definition of the transferring institution or if it is equivalent to a remedial course at NDSU. ~~It~~ [Remedial courses](#) may, however, fulfill prerequisite requirements, if applicable.
- ~~4.5.~~ Credit will be evaluated not only as it appears on the transcript, but also on the basis by which the credit was initially awarded by the sending institution. ~~Any~~ [Credit by examination, such as AP or CLEP](#), credit awarded via placement, or life experience credit awarded by another institution is not accepted in transfer.

- ~~5-6.~~ The Office of Registration and Records determines the applicability of transfer credit toward [NDSU general education requirements](#) according to institutional and North Dakota University System guidelines.
- ~~6-7.~~ College-level credits that do not have course equivalents at NDSU will be accepted as free electives and may count only toward total credits. An academic department may determine whether these transfer electives may satisfy specific curricular requirements through a course substitution process. (See also [General Education Administrative Policies](#).)
- ~~7-8.~~ NDSU requires that a minimum of ~~37-36~~ credits toward a baccalaureate degree be earned at the junior or senior (300- and 400-level) level. Therefore, while a freshman- or sophomore-level (100- or 200-level) course transferred from another institution may satisfy a specific upper-level program requirement at NDSU, that course will not be counted toward the ~~3736~~-credit upper-division degree requirement.
- ~~8-9.~~ ~~Transferable All letter grades courses with 'D' grades or above~~ will be accepted by the university; however, many colleges and departments have ~~higher-strict~~ standards to determine course applicability toward their respective ~~majors and degree~~ programs.
- ~~9-10.~~ The name of transfer institutions and total credits accepted by NDSU will be indicated on the official NDSU transcript. Individual transfer courses are not detailed on the academic transcript, but are provided in an official transfer evaluation and [academic advisement report](#) after admission to the university.
- ~~10-11.~~ Total transfer credits are converted to semester credits, if applicable.
- ~~11-12.~~ Transfer grades are recorded but not computed in the institutional cumulative GPA. ~~Transfer grades~~ They are used only for purposes of admission to the University, admission to certain programs, and for some scholarships and financial aid.

Evaluation of Transfer Credit from International Institutions

According to North Dakota University System policy effective January 2013, international transcripts must be submitted to an approved external evaluation service. Obtaining an evaluation is the sole responsibility of the student. Evaluations must be submitted according to the guidelines listed below. The guidelines for the evaluation of transfer credit listed for Domestic/US Institutions also apply to international transfer credit. NDSU students participating in an approved study-abroad program are not required to submit transcripts from study abroad experiences to an evaluation service. International students transferring from a North Dakota State University partnership institution are exempt from submitting an external international evaluation.

- Students must submit official transcripts to one of the following approved evaluators: the [American Association of Collegiate Registrars and Admission Officers \(AACRAO\)](#) [International Education Services](#), a member of the [National Association of Credential](#)

[Evaluation Services \(NACES\)](#), or a member of the [Association of International Credential Evaluators \(AICE\)](#).

- Official transcript(s) issued in English must be submitted to NDSU in addition to the evaluation unless the evaluation service provides certification of student documents and sends copies of transcript(s) to NDSU. Currently [World Education Services \(WES\)](#) is the only organization that provides NDSU with the required, certified documentation.
- New transfer students who have completed coursework at an institution outside the United States must submit transcripts to an approved evaluation service for a **course by course** evaluation.
- New international students should send evaluations directly to the [NDSU International Student and Study Abroad Services Office](#).
- New domestic students or United States permanent resident students should send evaluations directly to the [NDSU Office of Admission](#).
- Students must submit course descriptions for all completed coursework directly from the international institution to the [NDSU Office of Registration and Records](#) .
- Effective January 2015, all international transfer English coursework from non-native English speaking countries will not be accepted. English Coursework will transfer as remedial credit, and will be listed as equivalent to ENGL DEV at NDSU.

Common Course Numbers

Institutions in the North Dakota University System have established [common course numbers \(CCN\)](#) to facilitate transfer within the University System. Under the CCN agreement, transfer students who have successfully completed CCN courses will not be required to retake them at NDSU unless their degree program requires a higher grade. However, CCN courses will not fulfill residence requirements nor will 100- and 200-level courses fulfill upper-division requirements for graduation.

Evaluation of Transfer Credit from Military Courses

North Dakota State University accepts military courses recognized by the American Council on Education. Students who have completed military courses may receive transfer credit from NDSU. When evaluating military courses, the Office of Registration and Records will follow the criteria illustrated below:

1. Only Joint Service Transcripts that are sent electronically from the American Council on Education will be considered official and will be accepted.

2. Courses listed under “Military Courses” will be accepted for credit. Courses listed under “Military Occupations”, “College Level Test Scores”, and “Other Learning Experiences” on the Joint Service Transcript will not be accepted for credit.
3. Basic Military Training courses will transfer as a transfer elective with the credit going towards the General Education Category: Wellness.
4. Each course listed under Military Courses will be awarded the number of credits recommended by the American Council on Education.
5. Courses that do not have an NDSU equivalency will be set as transfer electives. These courses will be evaluated per the American Council of Education’s recommendations.
6. Courses that are recommended as vocational or graduate level, will not be accepted for transfer.

Joint Service Transcript Order Information:

Website: Joint Service Transcript Request

Email: jst@doded.mil

Proposed Faculty Senate Resolution – Draft

Whereas collaboration, cooperation and trust between the Faculty and the Vice President for Research and Creative Activities (VPRCA) is critical to the success of NDSU's research mission;

Whereas the recent 360 Review of the VPRCA has clearly revealed that collaboration, cooperation and trust to be lacking; and

Whereas the shortest possible time line for re-establishment of a functional relationship between faculty researchers and the Office of the VPRCA is crucial to NDSU's research mission; now, therefore, be it

Resolved, that the NDSU Faculty Senate

1. urges the President and Provost to immediately undertake the identification of one or more internal candidates to serve as NDSU's interim VPRCA;
2. urges the President and Provost to take faculty input, through campus-wide open forums, on suitability of each candidate for the job; and
3. urges the President and Provost to appoint an internal interim VPRCA by the end of February, 2018 to serve until such time that a permanent appointment can be made through a proper national search.

NDSU Faculty Senate Agenda
March 19, 2018
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from February 12, 2018
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VI. Consent agenda
 - a. Policies
 - i. 134.2 – Lactation Policy (already approved previously by FS; routed to Matt Hammer, who suggested minor wording changes; Kara Gravely-Stack made changes based on Matt’s comments; now re-routed to Senates. (**Attachment 1**)

All policy documents are available at:
https://www.ndsu.edu/policy/senate_coordinating_council/
- VII. Committee and other reports
 - a. UCC report (**Attachment 2**)
- VIII. Unfinished Business
 - a. None
- IX. New Business
 - a. Brent Seewald-Marquardt – update from the NDSU Bookstore discussing course materials and students.

- b. John Glover – update from the NDSU Foundation and Alumni Association
- c. Council of College Faculties election (**Attachment 3**).
- d. Resolution concerning chosen names (**Attachment 4**) directed towards the NDUS and Core Technology Services (implementation at the state level).

X. Adjourn

Policy Change Cover Sheet

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



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

SECTION: 134.2 NDSU Lactation Policy

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

- o Is this a federal or state mandate? Yes
- o Describe change: This is a new policy, related to all employees at NDSU, establishing family-friendly workplace guidelines in support of new mothers who wish to express breast milk during work hours. The policy is based on federal requirements; the Patient Protection and Affordable Care Act (PPACA) Section 4207 amended the Fair Labor Standards Act, Section 7.
- o Version 2 changes include:
 - o Opening paragraphs stating NDSU commitment to, and benefits of, family-friendly policies like 134.2
 - o Opening paragraphs outlining expectation that employee will request flexibility in time from supervisor
 - o Opening paragraphs outlining expectation that supervisor will work with employee
 - o Added language about "breastfeeding and expressing breast milk" throughout policy
 - o 1.1 – added "at least" to the previous one year guideline
 - o 1.1.1 – added "shall be reviewed" by supervisor
 - o 1.3 – added "or near" regarding lactation space locations
 - o 2.1 – added language regarding need for supervisor flexibility with non-exempt employees in terms of break times for breastfeeding/expressing breast milk, especially due to travel time frequently required for employee to reach designated lactation rooms.

o Version 3 changes include:

- o Last sentence of opening paragraphs language changed, per Matt Hammer (12/20/2017) to read "Supervisors shall"
- o 1.2 – added sentence to address concerns, per Matt Hammer (12/20/2017), regarding lack of a specific lactation space in general work area for employee
- o New paragraph added, above last sentence, per Matt Hammer (12/20/2017), indicating that employees experiencing discrimination/harassment can file a complaint with the Equity Office.

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

- Human Resources/Payroll and Equity Office 2/21/2017
- Kara.Gravley-Stack@nds.edu

This portion will be completed by Mary Asheim.

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

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

Senate Coordinating Committee: 4/10/17

Faculty Senate: 4/11/17

Staff Senate: 4/11/17

Student Government: 8/27/17

President's Cabinet: 4/11/17

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

North Dakota State University

Policy Manual

SECTION 134.2 LACTATION POLICY

SOURCE: NDSU President

As part of our family-friendly policies and benefits, NDSU supports breastfeeding ~~mothers-employees~~ by accommodating the ~~mother-employee~~ who wishes to breastfeed or express breast milk during ~~her~~ the workday. ~~when separated from her child.~~ NDSU recognizes that supportive breastfeeding policies and practices in the workplace not only benefit the employee but also benefit the child and the employer. Employer benefits include greater workplace productivity, increased organizational loyalty, and increased job satisfaction. Breastfeeding employees experience higher productivity, fewer distractions, lower absenteeism to care for an ill child, and a lower risk of developing breast and ovarian cancer or diabetes. Babies experience immediate and long-term benefits from breastfeeding including better immune system development and tend to have fewer and less severe short-term illnesses and chronic illnesses.

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Any employee who wishes to breastfeed or express breast milk in the workplace shall notify the supervisor and discuss any relevant workload or scheduling issues.

Commented [KG1]: Adapted from UND policy

Commented [KG2]: Adapted from DePauw University policy

1. Supervisors shall work with their employees and within policy requirements to accommodate an employee who wishes to breastfeed or express breast milk.

Commented [KG3]: Per Matt Hammer; 12/20/2017

Commented [KG4]: Adapted from UND policy

2.1. NDSU shall provide:

2-41.1 Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for breastfeeding or expressing ~~on of~~ breast milk for at least one year after child's birth;

2-41.1.1.1 After one year of child's birth, continued breaks and work patterns to accommodate breastfeeding or expressing ~~on of~~ breast milk ~~may shall~~ be reviewed and agreed upon with employee's supervisor;

2-21.2 A convenient, sanitary, safe, and private location, other than a restroom, allowing privacy for breastfeeding or expressing breast milk. If a designated lactation room is not available within reasonable proximity to the employee's workspace, the supervisor will work with the employee to identify and, if needed, modify, an existing non-restroom space to temporarily serve that purpose;

Commented [KG5]: Per Matt Hammer, 12/20/2017

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2-31.3 A convenient, clean, and safe water source with facilities for washing hands and rinsing breast-pumping equipment located in or near the private location.

2. NDSU shall not be required to compensate an employee receiving reasonable break time for any work spent breastfeeding or expressing breast milk, for such purpose.

2.1 Travel time to a lactation room must be considered and may extend the reasonable break time. Supervisors may permit extensions for reasonable break time with options that may include alternate start/stop times to the workday, rearranging break periods, and flexible

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scheduling. For non-exempt employees, supervisors will need to allow flexibility for employees to be able to earn all paid hours.

Commented [KG6]: Taken from UND policy

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Commented [KG7]: Per Matt Hammer, 12/20/2017

Employees experiencing workplace issues related to breastfeeding and lactation space and breaks may file a complaint with the Equity Office, per Policy 156: Discrimination, Harassment, and Retaliation Complaint Procedures.

NDSU has the following lactation rooms and support resources available for nursing mothers:
<https://www.ndsu.edu/equity/pregnancy/>

HISTORY:

New _____, [20172018](#)

NDSU University Curriculum Committee
Report for March 19, 2018 Faculty Senate Meeting

1. Course and Program Approvals (pages 2 – 6)
2. Course Inactivation Annual Review Proposal (page 7)
3. Repeated Courses policy changes for Bulletin (page 8)
4. Degree and Graduation Requirements policy changes for Bulletin (pages 9 – 12)
5. UCC Resolution regarding Faculty Senate business practices (page 13)

**University Curriculum Committee Report
For Faculty Senate Meeting on March 19, 2018**

New Program option
M.M.; Music – Music Theory Pedagogy

Program Changes
B.S./B.A.; Apparel, Retail Merchandising & Design: Retail Merchandising option – adjusting electives to reduce number of required credits for degree
B.S.; Animal Science – reduction of electives in option areas to reduce number of required credits for degree
Animal Science minor – adjusting the number of credits for elective courses
M.S. in Emergency Management – deletion of the master’s paper
PhD in Emergency Management – redistribution of electives
Gerontology PhD option – additions and deletions made to option to allow more PhD programs to combine their studies
B.S./B.A. to M.S. in Human Development and Family Science accelerated program – adding an additional upper-division writing elective
B.S./B.A.; Human Development & Family Science – Elementary Education option – adding and deleting courses from curriculum
B.S./B.A.; Human Development & Family Science – Social Work option – adding an additional upper-division writing elective
B.S.; Management – adding a Supply Chain Management track and reduction of some electives
B.S.; Marketing – adding a Supply Chain Management track and reduction of some electives
D.M.A.; Music – adjusting electives to meet course changes
B.S.; Natural Resources Management – adding a required course within the Social Sciences emphasis
Bachelor of Science in Nursing major – credit change to reflect new credit total for NURS 352
Nursing option – RN to BSN Track: courses removed/added to curriculum
Nursing option – LPN to BSN Track: courses removed/added to curriculum
B.S.; Horticulture – courses changed/deleted from curriculum

General Education Recommendation
SOC 116 – approval for Social & Behavioral Sciences and Global Perspectives categories

New Courses			
Subject	No.	Title	Effective Term
AHSS	472/672	Introduction to Publishing	Fall 2018
ENTR	201	Introduction to Entrepreneurship	Fall 2018
ENTR	301	Entrepreneurship Toolbox 1	Fall 2018
ENTR	302	Entrepreneurship Toolbox 2	Fall 2018
ENTR	401	Entrepreneurship Capstone	Fall 2018
HNES	735	Nutrition and Human Performance	Summer 2018
ME	478/678	Advanced Flow Diagnostics	Fall 2018
PH	789	Integrative Learning Experience	Fall 2018
VETS	460	Veterinary Anesthesiology	Fall 2018
VETS	460L	Veterinary Anesthesiology Laboratory	Fall 2018

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
BUSN	487	Managerial Economics	4	BUSN	487	Managerial Economics	3	Fall 2018
HNES	701	Leadership and Entrepreneurship	3	HNES	701	Leadership and Supervision	3	Spring 2019
HNES	712	Supervision and Management	3	HNES	712	Principles of Management	3	Summer 2018
MUSC	741	Baroque Music History	3	MUSC	741	Baroque and Classical Music History	3	Fall 2018
NURS	407L	Adult Health: Complex Problems Clinical	2	NURS	407L	Expanded Clinical Practice for the LPN-BSN	3	Summer 2018
PLSC	741	Cytogenetics	4	PLSC	741	Cytogenetics	3	Fall 2018
THEA	261	Acting II	3	THEA	261	Advanced Acting	3	Summer 2018
VETS	256	Veterinary Clinical Techniques and Instruments	4	VETS	265	Veterinary Nursing I	2	Fall 2018

Changes in Prerequisites/Co-Requisites/Course Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite/Description Change	Effective Term
ANSC	230	Meat Grading & Evaluation	Prereq: none	Fall 2018

Changes in Prerequisites/Co-Requisites/Course Descriptions (continued)				
BUSN	487	Managerial Economics	Desc: Business managers, entrepreneurs, and other executives make a variety of important decisions on a daily basis. These decisions are broad in scope and vary in the length of time for which they are made, ranging from developing a particular pricing promotion to expanding the size of a major production plant. This course will provide students with a better understanding of the economics of such decisions and provide students with a better understanding of the economics of such decisions and provide tools that can be used to make better business decisions. Prereq: MGMT 320, ECON 201, ECON 202, MATH 144 or MATH 146, at least junior standing and a minimum cumulative GPA of 2.50.	Fall 2018
EMGT	425	International Emergency Management	Prereq: none	Summer 2018
HNES	701	Leadership and Supervision	Desc: This course provides an introduction to leadership and supervision in physical education and sport settings. The course is designed to provide students with skills, techniques, and practices for successful leadership and supervision. Prereq: Must be accepted into the MS option of Leadership in Physical Education and Sports	Spring 2019
HNES	712	Principles of Management	Desc: This course is designed to study the principles of management for the improvement of various phases of the learning process of teaching, coaching, and leadership. Students will develop a comprehensive foundation on the fundamentals of management. Prereq: Must be accepted into the MS option of Leadership in Physical Education and Sport	Summer 2018
MUSC	741	Baroque and Classical Music History	Desc: In-depth historical study of Baroque and Classical musical styles and genres through critical listening, discussions, and student and instructor presentations.	Fall 2018
NURS	407L	Expanded Clinical Practice for the LPN-BSN	Desc: This course focuses on the etiology, pathophysiologic mechanisms, and mental health aspects of nursing care for patients in a variety of settings including medical/surgical, critical care, labor and delivery and simulation. Prereq: NURS 372 and NURS 407	Summer 2018
PLSC	741	Cytogenetics	Desc: This course covers the fundamentals of cytogenetics with an emphasis on molecular aspects including chromosome structure, organization, behavior/transmission, variation, mapping, manipulation, and their relationships with gene expression/regulation, inheritance, and breeding. Chromosome engineering and genetic manipulation of cell divisions for plant improvement are also covered. 3 lectures.	Fall 2018
VETS	265	Veterinary Nursing I	Desc: Clinical procedures and instrumentation used in the day-to-day operation of a companion animal veterinary practice. Coreq: VETS 265L Prereq: Must be accepted into the Veterinary Technical program	Fall 2018

Course Reactivation			
Subject	No.	Title	Effective Term
MRKT	630	Sales and Personal Selling	Summer 2018

Course Inactivations			
Subject	No.	Title	Effective Term
ABEN	450	Bioprocess Engineering	Summer 2018
ADHM	357	Product Development: Designing Pants	Summer 2018
ADHM	402	Professional Catering Management	Summer 2018
ANTH	432/632	Human Osteology	Summer 2018
ANTH	433/633	Apes and Human Evolution	Summer 2018
ANTH	443/643	Peoples and Cultures of the Middle East and North Africa	Summer 2018
ANTH	444/644	Peoples of the Pacific Islands	Summer 2018
ANTH	459/659	Global Cultural Heritage	Summer 2018
BIOC	721	Genomics Techniques	Summer 2018

Course Inactivations (continued)			
BIOL	478/678	Methods in Animal Physiology	Summer 2018
BOT	315	Genetics	Summer 2018
BOT	315L	Genetics Laboratory	Summer 2018
BOT	431/631	Intermediate Genetics	Summer 2018
BOT	717	Aquatic Vascular Plants	Summer 2018
BOT	820	Advanced Cell Biology	Summer 2018
BUSN	415	Small Business Institute	Summer 2018
BUSN	432	Business Law II: Business Organization and Commercial Transactions	Summer 2018
CE	451/651	Advanced Surveying	Summer 2018
CE	463/663	Geotechnical Earthquake Engineering	Summer 2018
CE	472/672	Solid Waste Management	Summer 2018
CE	630	Timber and Form Design	Summer 2018
CE	768	Advanced Water and Wastewater Lab	Summer 2018
CE	775	Industrial Waste Management	Summer 2018
CLAS	151	First-Year Greek I	Summer 2018
CLAS	152	First-Year Greek II	Summer 2018
CLAS	180	Scientific Terminology: Greek and Latin	Summer 2018
CLAS	201	Second-Year Latin I	Summer 2018
CLAS	202	Second-Year Latin II	Summer 2018
CLAS	251	Second-Year Greek I	Summer 2018
CLAS	252	Second-Year Greek II	Summer 2018
CLAS	350	Glory of Greece	Summer 2018
CLAS	360	Grandeur of Rome	Summer 2018
CLAS	361	Cicero	Summer 2018
CLAS	362	Virgil	Summer 2018
CLAS	363	Advanced Latin Prose	Summer 2018
CLAS	364	Advanced Latin Poetry	Summer 2018
CLAS	370	Classical Mythology	Summer 2018
CLAS	451	Advanced Greek Prose	Summer 2018
CLAS	452	Greek Tragedy	Summer 2018
COMM	271	Listening and Nonverbal Communication	Summer 2018
COMM	348	Documentary and Commercial Production	Summer 2018
COMM	349	Television Studio Production	Summer 2018
COMM	363	Advanced Web Design	Summer 2018
COMM	386	Organizational Interviewing	Summer 2018
COMM	402	Contemporary Rhetoric	Summer 2018
COMM	433	Legal Communication	Summer 2018
COMM	436/636	Issues in Mass Communication	Summer 2018
COMM	443	Mass Media and Public Opinion	Summer 2018
COMM	474	Communication Campaigns	Summer 2018
COMM	621	History of Journalism	Summer 2018
COMM	634	Communication Law	Summer 2018
COMM	651	Directing Forensics	Summer 2018
COMM	703	Advanced Research Methods in Communication II	Summer 2018
COMM	705	Advanced Communication Theory	Summer 2018
COMM	706	Advanced Interpersonal Communication	Summer 2018
COMM	708	Advanced Qualitative Methods in Communication Research	Summer 2018
COMM	710	Advanced Quantitative Methods in Communication Research	Summer 2018
COMM	714	Marriage and Family Communication	Summer 2018
COMM	721	Intercultural Communication	Summer 2018
COMM	725	Communication and Change	Summer 2018
COMM	752	Theory of Argument	Summer 2018
COMM	761	Survey of Rhetorical Theory	Summer 2018
COMM	780	Health Communication	Summer 2018
COMM	782	Theories of Persuasion	Summer 2018
COMM	784	Advanced Organizational Communication II	Summer 2018
COMM	785	Advanced Crisis Communication in Public Relations	Summer 2018
CSCI	125	Beginning Cobol	Summer 2018
CSCI	126	Beginning Fortran	Summer 2018
EMGT	464/664	Disaster and Culture	Summer 2018
ENGL	381	American Road Book	Summer 2018
ENGL	471/671	American Realistic Literature	Summer 2018
ENGL	485/685	18 th Century Literature	Summer 2018
ENGL	651	Advanced English Grammar	Summer 2018
ENGL	782	Studies in Irish Literature	Summer 2018
ENGR	489	Collaborative Engineering Capstone	Summer 2018

Course Inactivations (continued)			
ENT	360	Economic Entomology	Summer 2018
ENT	610	Integrated Management of Pests	Summer 2018
ENT	842	Quantitative Biology	Summer 2018
HDFS	478/678	Financial and Consumer Issues of Aging	Summer 2018
HDFS	484	Developmentally Appropriate Practices Across the Adult Lifespan	Summer 2018
HDFS	487	Practicum in Child Development Programs	Summer 2018
HDFS	624	Observation and Assessment of Children	Summer 2018
HDFS	630	Topics in Cognitive Development	Summer 2018
HDFS	635	Topics in Socioemotional Development	Summer 2018
HDFS	648	Issues in Sexuality	Summer 2018
HDFS	675	Children and Families Across Cultures	Summer 2018
HDFS	681	Gender and Aging	Summer 2018
HDFS	682	Family Dynamics of Aging	Summer 2018
HDFS	755	Advanced Lifespan Development	Summer 2018
HDFS	812	Advanced Human Development: Birth through Childhood	Summer 2018
HDFS	814	Advanced Human Development: Adolescence through Early Adulthood	Summer 2018
HDFS	816	Advanced Human Development: Middle through Late Adulthood	Summer 2018
HDFS	873	Social Justice Approaches to Couple and Family Therapy	Summer 2018
HDFS	875	Research Methods in Couple and Family Therapy	Summer 2018
HDFS	877	Qualitative Theories and Methods in Couple and Family Therapy	Summer 2018
HDFS	880	Supervision and Teaching Couple and Family Therapy	Summer 2018
HNES	109	Beginning Aikido	Summer 2018
HNES	118	Tae Kwon Do II	Summer 2018
HNES	121	Intermediate Aikido	Summer 2018
HNES	125	Tai Chi II	Summer 2018
HNES	131	Pilates	Summer 2018
HNES	150	Foundations in Physical Education	Summer 2018
HNES	160	Foundations in Health Professions	Summer 2018
HNES	271	Techniques of Strength and Conditioning	Summer 2018
HNES	272	Techniques of Cardiovascular Conditioning	Summer 2018
HNES	326	Recreation Programming	Summer 2018
HNES	330	Coaching Football	Summer 2018
HNES	331	Coaching Basketball	Summer 2018
HNES	332	Coaching Track and Field	Summer 2018
HNES	333	Coaching Wrestling	Summer 2018
HNES	334	Coaching Baseball/Softball	Summer 2018
HNES	352	Physical Education Activities and Materials	Summer 2018
HNES	427	Leisure and Society	Summer 2018
LA	171	Environmental Design I	Summer 2018
LEAD	125	Level I Leadership	Summer 2018
LEAD	305	Global Leader Development	Summer 2018
LEAD	306	Global Leader Experience	Summer 2018
LEAD	325	Level III Leadership	Summer 2018
LEAD	425	Level IV Leadership	Summer 2018
LIB	121	Introduction to Library Research	Summer 2018
MATH	489/689	Numerical Analysis I	Summer 2018
MATH	630	Graph Theory	Summer 2018
ME	341	Mechanics of Machinery	Summer 2018
ME	423/623	Intermediate Mechanics of Materials	Summer 2018
ME	433/633	Composite Materials Science and Engineering	Summer 2018
ME	482/682	Fuel Cell Science and Engineering	Summer 2018
MGMT	301	Management for Non-Business Majors	Summer 2018
MGMT	752	Organizational Restructuring	Summer 2018
NRM	432/632	Environmental Impact Statement	Summer 2018
NRM	730	Environmental Law	Summer 2018
NURS	452	Professional Practice Synthesis	Summer 2018
NURS	618	Family Nursing Theory and Health Promotion	Summer 2018
NURS	620	Advanced Practice Roles	Summer 2018
NURS	640P	Adult Nursing Practicum I	Summer 2018
NURS	708	Transcultural and Social Perspectives	Summer 2018
NURS	724	Curriculum Design in Nursing Education	Summer 2018
NURS	725	Strategies for Teaching and Learning in Nursing Education	Summer 2018
NURS	797S	Comprehensive Project	Summer 2018
PH	715	Emergency Management for Public Health Professionals	Summer 2018
PLSC	780	Population Dynamics	Summer 2018
SOIL	480/680	Soils and Pollution	Summer 2018

Course Inactivations (continued)			
SOIL	784	Advanced Soil Genesis, Morphology and Classification	Summer 2018
VETS	130	Companion Animal Breeds	Summer 2018
WGS	450	Issues in Women and Gender Studies	Summer 2018
ZOO	126	Human Biology	Summer 2018
ZOO	126L	Human Biology Lab	Summer 2018
ZOO	315	Genetics	Summer 2018
ZOO	315L	Genetics Lab	Summer 2018
ZOO	364	General Ecology	Summer 2018
ZOO	431/631	Intermediate Genetics	Summer 2018
ZOO	470/670	Limnology	Summer 2018
ZOO	870	Aquatic Community Ecology	Summer 2018

Course Inactivation Annual Review Proposed February 2, 2018

The University Curriculum Committee (UCC) supports on-going review of active courses. Departments are welcome to inactivate courses throughout the academic year. An expedited review process supports departments and the course clean-up process.

Process

- In mid-September the Provost's Office sends department chairs a prompt to review courses not taught in the previous five years.
 - Department chairs review list in Tableau.
 - A comprehensive list of courses to be inactivated will be shared with all UCC members.
- Department chairs communicate with their college's UCC committee representative justification for any course to remain active.
 - Chairs have four weeks to respond.
 - If no communication is provided from a department chair, courses will move forward for inactivation processing.
- UCC College committee representatives assembles list of courses to remain active and accompanying justification.
 - Elements to track: prefix, catalog number, course title and justification to retain course.
- UCC reviews courses in mid-October and approves/denies requests as appropriate.
- In late October Registration and Records will process the inactivations in CourseLeaf.
- UCC supports an approved abbreviated workflow review process for these courses.
 - The requests will start with approval at the Dean level and then as consent agenda items at UCC and Faculty Senate.

Why is this important?

If courses remain active in the bulletin, but are not taught, this can cause confusion and frustration for students and advisors. The exercise of reviewing courses for this process may help departments realize some opportunities. Also, some of these courses are Gen Ed courses, and inactivation would help with the revalidation and overall assessment plan for the program.

Active but not taught courses do accumulate over time for many reasons including, but not limited to:

- Faculty turnover
- Changes in curriculum
- Hesitancy to inactivate

UCC wants to reassure those who fall into that last category that inactivation does not permanently remove the course from the bulletin or Campus Connection, but rather simply makes them unavailable in the active version of the bulletin. The inactivated courses can be reactivated easily through the CourseLeaf process and are consent agenda items for UCC. You can see inactive courses in CourseLeaf by searching for them.

Repeated Courses

~~Students who wish to take advantage of the repeated course opportunity to improve a grade must repeat the course at NDSU, with one exception only. NDSU students may register for a Tri-College course to repeat a course previously taken at NDSU (see Tri-College rules and restrictions).~~ **At NDSU, repeating** If a course is defined as retaking the same course on a student's ~~completed at NDSU academic record in~~ **and** an attempt is made to **improve a grade.** ~~repeat that course elsewhere, the credit is considered duplicate and is not eligible for transfer. When a course is repeated at NDSU, all attempts remain on the academic record but only the credits, grades, and related honor points for the most recent attempt will be used in calculating the cumulative grade point average and credits for graduation. Students forfeit the previous grade no matter what grade is earned when the course is repeated. All repeated courses are noted on the transcript to indicate the course was repeated in a following term and previous attempts are excluded from cumulative totals. Courses taken for regular 'A'-'F' grades may not be repeated under the pass-fail grading option.~~ The course repeat option to improve one's academic record is available to students who have not graduated. **Repeats are processed at the end of a semester after grades have been posted to academic records. The following applies to repeated courses:**

1. **Credit earned in any given course (or equivalent course) is applicable to a degree requirement only once. Credit for a course can only be earned and applied to degree requirements once.**
2. **If a course is completed at NDSU and an attempt is made to repeat that course at another institution, the credit is considered duplicate and is not eligible for transfer back to NDSU.**
3. **An NDSU student ~~students~~ may register for a Tri-College course to repeat a course previously taken at NDSU (see Tri-College rules and restrictions).**
4. **All grade entries ~~When a course is repeated at NDSU, all attempts~~ remain on the student's academic record, but only the credits, grades and related honor points for the most recent attempt will be calculated ~~used in calculating~~ the cumulative grade point average and credits for graduation. Previous attempts are excluded from cumulative totals and marked as '*Repeat Included*'. ~~graduation.~~**
5. **Students forfeit the previous letter grade no matter what letter grade is earned when the course is repeated and the most recent course is marked '*Repeat Excluded*'. ~~repeated.~~**
6. **There is no limit to the number of different courses that may be repeated unless otherwise restricted by an academic department.**
7. **A student is limited to a maximum of three attempts in any course at NDSU. An "attempt" includes any instance in which the student earns a letter grade for the course (A - F). The three-attempt limit does not apply to courses identified as "May be repeated" in the course description. A student can petition for exception to this limitation through established university procedures.**
8. **Courses taken for A-F grading ~~'A'-'F' grades~~ may not be repeated under the pass-fail grading option.**
9. **Repeat attempts made in semesters following a degree posting will remain on the academic record along with the new grade, but will be excluded from GPA and credit calculations. **The repeated course will be marked "Repeated: Post Degree-Not Included in Cum Totals."****

NOTE: Repeating courses has impacts to financial aid eligibility and can effect a student's completion rate. For more information contact NDSU One Stop.

NDSU Bulletin 2018-19
Degree and Graduation Requirements

Baccalaureate Degrees

To receive a baccalaureate degree from NDSU, students must complete all of the requirements listed in this section as well as those specified for the particular degree program by a college within the university. Students should consult the [curriculum guide](#) or contact the academic department for further information on degree requirements. Degree candidates must satisfactorily complete one of the degree curricula offered at NDSU in accordance with the requirements listed below. ~~Because curricula are subject to change annually, students are responsible for determining curricular expectations according to the following guidelines:~~

~~Intended majors and degrees, as well as second majors and minors, must be declared to become official by providing notice to the Office of Registration and Records, 110 Ceres Hall. Students follow the published curricula for the major program of study declared with the university from the semester/year of entrance at NDSU, from the point a new major is declared, or from the year of admission to a limited- or selective-enrollment program, whichever applies, to graduation provided enrollment at NDSU has not been discontinued for more than one year.~~

~~Students who advance in limited- or selective-enrollment programs will have their academic program/plan status changed accordingly by the appropriate academic department.~~

~~Any student who discontinues enrollment at NDSU for more than one calendar year is subject to meeting the curricular requirements in effect at the time of re-entry.~~

Degree and Graduation Requirements

Students must satisfactorily complete two sets of requirements: a) university-wide requirements and b) college- or department-level requirements, which include curricular requirements for completing majors and minors. College- and department-level requirements for majors and minors are listed in the [college sections](#) of this bulletin under the appropriate college listing, and in [curriculum guides](#) available online and in academic departments. Minimum degree/graduation requirements are as follows:

1. **Academic major requirements:** Satisfactory completion of all requirements of the curriculum in which one is enrolled. ~~Earn a minimum total of 120 credits in approved coursework.~~ Requirements for some academic majors exceed this minimum.
 1. Because curricula are subject to change, intended degrees and majors, as well as second majors and minors, must be declared to be official. This may be done at the point of admission or readmission to the University or by submission of a [Major Change form](#) to the Office of Registration and Records.
 2. Students follow the published curricula in place when a major/minor is declared or from the year of admission to a limited- or selective-enrollment program, whichever applies, to graduation provided enrollment at NDSU has not been discontinued for more than one calendar year.

3. Students who advance into limited- or selective-enrollment programs will have their academic degree/plan status changed accordingly based on information provided to Registration and Records by the respective academic department.
4. Students who discontinue enrollment at NDSU for more than one calendar year are subject to meet the curricular requirements in effect during the term of readmission.
5. Each program of study presented by a candidate for the baccalaureate degree is audited for meeting the degree requirements by the Office of Registration and Records. ~~Degree candidates are certified according to total credits and grades earned and other university and degree program requirements.~~
2. **Total degree credits:** Earn a minimum total of 120 credits in approved coursework. Requirements for some academic programs may exceed this minimum.
3. **General education requirements:** Satisfactory completion of the general education requirements as specified by the University ~~and in a student's degree and major.~~
4. **Scholastic standing requirement:** A minimum institutional grade-point average of 2.00 based on work taken at NDSU ~~for which grades have been assigned~~ is required for graduation. When a course is taken and repeated at NDSU, only the most recent grade and credits earned will be used in computing the cumulative grade-point average. Some academic programs require higher minimum grade-point requirements.
5. **Upper-level credit requirements:** At least 37-36 of the credits presented for graduation must be in courses taken at the 300 and 400 level.
6. **Transfer Students:** Students with transfer credit from another institution must earn a minimum of 60 semester credits from a baccalaureate-degree granting or professional institution. Of these, at least 36 must be NDSU residence credits as defined below. Within these 36 resident credits, minimum requirements include 15 semester credits in courses numbered 300 or above (37-36 upper-level credits must still be earned in total) and 15 semester credits in the major field of study.
7. **Residence requirements:** Residence credits include credits registered and paid for at NDSU. These may include courses offered on the NDSU campus, ~~via or Tri-College, or via NDSU distance education.~~ At least 36 credits must be NDSU resident credits ~~and ordinarily, the last 30 credits must be earned in residence.~~
Exceptions to the Last 30 Credits Requirements:
8. ~~Courses taken as part of a NDSU-sponsored study abroad or exchange program count as residence credit. Students must still fulfill all other graduation requirements.~~
9. ~~Students admitted to an accredited non-baccalaureate professional degree program (e.g., Veterinary Medicine, Chiropractic, etc.) at another institution prior to earning their baccalaureate degree from NDSU may be eligible to subsequently earn an NDSU bachelor's degree through the transfer of earned professional course credits. Professional coursework transferred back to fulfill major requirements must be either department-approved as equivalent to NDSU coursework or be authorized via department-approved substitution form. To be considered for this waiver, students must complete and submit an Appeal for Exception to Academic Regulations Form to the Office of Registration and Records during their last semester of enrollment at NDSU. Students must still fulfill all other graduation requirements.~~
10. ~~Courses taken as a part of a required curriculum in an NDSU-approved dual degree or joint program with another institution (i.e., HDFS/Elementary Education with VCSU).~~

~~11.7. Excluding the above exceptions, students who need to complete a limited number of credits (typically not to exceed nine) to fulfill their graduation requirements, and who are unable to take them at or through NDSU may seek an exception by completing and submitting the Appeal for Exception to Academic Regulations Form to the Office of Registration prior to enrolling at another institution. To fulfill major requirements, transfer coursework must either be evaluated as equivalent to NDSU courses or be authorized via a department-approved substitution form. Students must still fulfill all other graduation requirements.~~

~~12.8.~~ **Financial obligations:** Satisfy all financial obligations owed to the university. ~~13.9.~~ **Application for degree:** All candidates for a baccalaureate or Pharmacy

Doctorate degree must indicate their intent to graduate when registering for their last semester. The [application form](#) is available online. Failure to apply by the published graduation application deadline of the planned semester of graduation may delay the awarding of the degree until the following semester. If a student fails to complete the required courses by the intended graduation term, the student must reapply for graduation in a following term.

Majors and Minors

Majors and minors are integral parts of baccalaureate degree curricula. Specific curriculum requirements for majors may be acquired from the appropriate departmental office or from Registration and Records. [Minimum credit requirements for degrees are outlined in NDUS SBHE Policy 409](#). Students are responsible for following the requirements in place at the time a major or minor is officially declared with the university.

Major: A major is a planned grouping of related courses that totals a minimum of 32 credits.

Minor: A minor is a similar grouping of courses that totals a minimum of 16 credits. A minimum of eight credits must be earned in residence at NDSU.

Second or Multiple Majors: A second (or multiple) major may be earned by completing the requirements of both (or all) majors offered under the same baccalaureate degree. At least 15 unique credits must exist between the majors. When requirements for multiple majors are met concurrently, all majors are displayed on the diploma.

Multiple majors or minors may be completed and recorded on the student's academic record after the degree for the first major has been awarded. When majors under different degrees are involved, the requirements for a second degree apply (See next section).

Second Degree

A second baccalaureate degree may be earned at NDSU with all of the following provisions:

1. All curriculum requirements are satisfactorily completed.
2. ~~A 30-credit minimum is earned in residence beyond all of the credits and degree requirements for the first baccalaureate degree. All requirements for both degrees must be met, including the separate residency requirements at NDSU for each (36 for the first; 30 for the second). Any repeated courses do not count toward the 30 credits.~~

3-2. Each baccalaureate degree must be different. However, students may complete requirements for more than one major within a given degree, if available (see second /multiple majors).

Certificates

A certificate program is a specialized course of study requiring at least 16-9 credit hours at the undergraduate level or eight credit hours at the graduate level, per NDUS SBHE policy 409. Certificates may be earned while in pursuit of a degree or as standalone programs of study.

Prospective students interested in certificate programs, but not seeking a degree, must be accepted to the university. Contact the [Office of Admission](#) or the [Graduate College](#) for further information. Curricular requirements and verification forms are available in academic departments offering certificates. Completed forms must be signed by the appropriate department chair (and Graduate College, if applicable) and submitted to Registration and Records in order for the certificate to be posted to a student's academic record and official documentation issued.

Exceptions to Academic Program Requirements

Academic policies and curricular requirements are designed to ensure that programs at NDSU are consistently of high quality. Students are expected to complete all curricular requirements, which includes the overall University requirements (includes general education), any college or department requirements if applicable, and major program of study requirements. Students may request substitutions or waivers for college or departmental requirements when extenuating circumstances prevail. Depending on the nature of the requested exception, departmental or college level approval is required.

Degree Audits

Each program of study presented by a candidate for the baccalaureate degree is audited for meeting the degree requirements by the Office of Registration and Records. Degree candidates are certified by the Office of Registration and Records according to total credits earned, institutional grade-point average, and other university requirements (See Degree and Graduation Requirements).

A degree audit is an official review of graduation requirements to determine a student's graduation eligibility. Undergraduate students who have completed a minimum of 75 credits are notified and asked to complete the [degree audit request](#). Degree audits are not automatically completed as student educational and degree goals vary (multiple degree, majors, minors, etc.). An official degree audit typically is completed by the Office of Registration and Records typically two semesters prior to the student's reported graduation on the audit request.

At any time, however, undergraduate students and their advisers may track degree progress ~~at any time during a student's undergraduate career~~ using the [Academic Requirements Report](#) (automated degree audit) feature on Campus Connection. This functionality is interactive and also allows the student to plan for ~~and register for~~ upcoming semesters within the advisement report. Instructions and information on how to access and read an Academic Requirements Report are available to students and advisers.

UCC Resolution regarding Faculty Senate business practices

Whereas the Faculty Senate leadership has refused to allow UCC curricular items to be presented from the floor at Faculty Senate meetings causing severe backlogs.

Whereas the Faculty Senate leadership has removed the UCC report from the consent agenda without any explanation to the UCC causing wasted discussion time at the Faculty Senate meetings and undermining the work charged to the UCC.

Whereas the UCC meets weekly and reports do not align with Faculty Senate Executive meetings resulting in a business process model that cannot meet the unexpected new expectations of the Faculty Senate leadership resulting in delays in curricular updates for departments and colleges (programs and courses) causing serious errors in the bulletin for 2018-2019.

Whereas these issues combined will harm students.

Resolved, that the Faculty Senate leadership needs to change back to previous business processes that allow UCC to meet its charge.

Candidates for the Council of College Faculties (in no particular order)

Name: Birgit Pruess
Rank: Professor
College: Agriculture, Food Systems, and Natural Resources
Department: Microbiology

Name: Kenneth Hellevang
Rank: Professor
College: Agriculture, Food Systems, and Natural Resources
Department: Agricultural and Biosystems Engineering

I have the rank of tenured professor at NDSU in the Department of Agricultural and Biosystems Engineering and an Agricultural Engineer with the NDSU Extension Service.

Brief statement of why you would like to be a CCF representative from NDSU:

I was state president of a faculty organization called the Society of Higher Education Professionals during the early 1990's. We represented the faculty to the State Board of Higher Education and legislature. We worked cooperatively with the CCF. Our major accomplishment was legislation that placed a faculty member on the SBHE as a non-voting member. This was the first that faculty had a voice directly to the SBHE. I also represented the faculty providing testimony at legislative hearings. Although I was not a CCF member, I participated in their meetings. In addition, I attended SBHE meetings and interacted with NDUS staff.

I was a member of the NDSU University Senate and of the Senate Executive Committee.

I have continued to follow NDSU governance and University System issues. I think it is critical that NDSU faculty and faculty of the other higher education institutions have a strong voice in shaping the future of higher education in North Dakota.

Name: Verlin B. Hinsz
Rank: Professor
College: Science and Mathematics
Department: Psychology

Brief statement of why you would like to be a CCF representative from NDSU:

I have twice previously served as a NDSU faculty representative on the Council of College Faculties. Although I have been frustrated by the limited impact that CCF has had on State Board and Chancellor's Office activities, it does not diminish the need for CCF to be as active as its representatives will force it to be. In these days of challenges to higher education in North Dakota from various directions, it is important that NDSU have representatives from the faculty that will advocate for and promote more faculty governance and input.

Name: Thomas Ambrosio
Rank: Professor
College: Arts, Humanities, and Social Sciences
Department: Criminal Justice and Political Science

Brief statement of why you would like to be a CCF representative from NDSU:

I have previously served on the CCF and found the issues that we covered quite interesting. Now, in this period of fiscal uncertainty, we need someone who understands budgetary matters. I served as chair of the Faculty Senate Budget Committee and the Provost's Budget Task Force and feel that can make a solid contribution to the CCF's discussions moving forward.

Name: Gursimran Singh Walia
Rank: Associate Professor and Graduate Coordinator of Software Engineering
College: Science and Mathematics
Department: Computer Science

Brief statement of why you would like to be a CCF representative from NDSU:

"To assist in improving policies concerning the general academic welfare of NDSU and NDUS higher education. To have an active role in the development of academic policies and standards, to be able to adjust to the needs of students in terms of degrees offered, admissions to recruit and retain students, regulation of student academic policies, and determination of candidates for awarding degrees".

Resolution in Support of Chosen Name Use by Members of the NDSU Community

Whereas North Dakota State University is committed to providing a safe, healthy, and non-discriminatory environment for all members of the NDSU community and;

Whereas many members of the NDSU community come from cultures with naming traditions and conventions that are different from those commonly practiced in the United States and;

Whereas visa and other legal requirements may force those individuals to adopt names that do not reflect their actual name, for example, FNU (“first name unknown”) and;

Whereas this conflict between legal name and de facto name creates administrative barriers for members of our community who come from different cultural groups and;

Whereas other members of the NDSU community, including those who are transgender, gender non-binary, or gender-fluid, may choose to use names that are not their legal names and;

Whereas requesting to be addressed by their chosen names instead of their legal names may require those individuals to reveal their transgender, non-binary, or gender-fluid status publicly, potentially compromising their safety and;

Whereas still other members of the NDSU community may choose to be addressed by names other than their first name (e.g., by a middle name or by initials) and need to inform everyone they encounter in an official capacity of this choice and;

Whereas current policies regarding such identifiers as e-mail addresses and identification cards primarily support only the use of a legal name and;

Whereas bureaucratic restrictions may require that legal names occur on certain documents, including diplomas and transcripts and;

Whereas mismatches between legal and chosen name on various documents and in different settings create confusion, inefficiency, and unnecessary hurdles for members of the NDSU community and;

Whereas addressing a person by their chosen name is basic courtesy and reflects respect for that person’s identity and;

Whereas the ability to use a chosen name in any context where one’s legal name is not explicitly required by law promotes a welcoming and inclusive culture;

Be it resolved that the NDSU Faculty Senate supports the ability of members of the NDSU community to use their chosen names in all situations where a legal name is not required by law and to have their chosen names appear in all contexts where legal name is not required, based on the discretion of the individual and with the approval of the Office of Registration and Records and/or Human Resources.

NDSU Faculty Senate Agenda
April 9, 2018
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from March 19, 2018
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Mason Wenzel and Katie Mastel, Student Body President and Vice President
- VI. Consent agenda
 - a. Policies – No policies are on the consent agenda for this meeting.
 - b. UCC report (**Attachment 1**).
- VII. Committee and other reports
 - a. None.
- VIII. Unfinished Business
 - a. Results of Council of College Faculties election.
 - b. Update on resolution concerning chosers names sent to Mark Hagerott and Darin King (**Attachment 2**).
- IX. New Business
 - a. Policies
 - i. 333 – Class Attendance Policy and Procedure (previously rejected by Student Government and Faculty Senate; Student Government assisted with rewording of policy;

Attachment 3; also included but not in policy are guidelines for excused student absences; **Attachment 4**).

All policy documents are available at:

https://www.ndsu.edu/policy/senate_coordinating_council/

b. Call for nominees:

i. Faculty Senate President.

ii. Standing Committee on Faculty Rights – faculty nominees must be from the College of Business, the College of Engineering, or the College of Human Development and Education.

X. Adjourn

**University Curriculum Committee Report
For Faculty Senate Meeting on April 9, 2018**

New Program option
M.S.: Computer Science – adding an option in cybersecurity
M.S.: Software Engineering – adding an option in cybersecurity
PhD: Computer Science – adding an option in cybersecurity
PhD: Software Engineering – adding an option in cyber security

Program Changes
B.S.A.B.E.N. – Agricultural option – deleted the 189 requirement and changed some program electives
B.S.A.B.E.N. – Biosystems option – deleted the 189 requirement and changed some program electives
B.S./B.A.: Apparel, Retail Merchandising and Design – Apparel Studies option – made an adjustment to the professional elective credits requirement
B.S./B.A.: Apparel, Retail Merchandising and Design – Retail Merchandising option – made an adjustment to the professional elective credits requirement
B.S./B.A.: Interior Design – adjusted the computer course requirement
B.S.: Business Administration – adjustment of 300-400 level course electives; adding a Supply Chain Management track
M.S.: Computer Science – changing existing options
Minor in Environmental Geology – additional elective added
B.S.: General Agriculture – deleted AGRI 150 as a required course
M.S.: Software Engineering – changing existing options
B.S.: Sport Management – adjustment to internship credits
PhD: Exercise Science and Nutrition – additions and deletions to courses required for the program
MBA: Business Administration – adding MBA courses to program
B.S.: Soil Science – removal and addition of courses within the program

New Courses			
Subject	No.	Title	Effective Term
ANSC	233	Junior Competitive Livestock Evaluation	Fall 2018
CSCI	403/603	Defensive Network Security	Fall 2018
CSCI	404/604	Ethical Hacking	Fall 2018
CSCI	615	Networking and Parallel Computation	Fall 2018
ECE	726	Advanced VLSI Design	Summer 2018
MBA	713	Financial Derivatives	Fall 2018
MBA	714	Valuing the Enterprise: Acquisitions and Buyout	Fall 2018
MICR	485	Capstone Experience in Microbiology – Experimental Design	Fall 2018
MUSC	366	Applied Composition	Fall 2018
MUSC	466	Applied Composition	Fall 2018
VETS	265L	Veterinary Nursing Lab I	Fall 2018
VETS	267	Veterinary Nursing II	Spring 2019
VETS	267L	Veterinary Nursing Lab II	Spring 2019
VETS	367	Principles of Companion Animal Dentistry	Fall 2018
VETS	367L	Principles of Companion Animal Dentistry Lab	Fall 2018

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
ADHM	253	Interior Design II – Office Design	2	ADHM	253	Interior Design II – Small Scale Contract	3	Fall 2018
ADHM	351	Interior Design Studio IV – Advanced Residential	3	ADHM	351	Interior Design Studio III – Advanced Residential	3	Fall 2018
ADHM	353	Interior Design Studio V – Large Scale Contract Design	3	ADHM	353	Interior Design Studio IV – Large Scale Contract Design	3	Fall 2018
ADHM	455	Advanced Apparel Assembly	3	ADHM	455	Apparel Design and Assembly	3	Fall 2018
BIOL/ZOO	126L	Human Biology Laboratory	1	BIOL	126L	Human Biology Laboratory	1	Summer 2018
BOT	372	Structure and Diversity of Plants and Fungi	4	BIOL	472	Structure and Diversity of Plants and Fungi	3	Summer 2018
BOT	414	Plant Systematics	3	BIOL	414	Plant Systematics	3	Summer 2018
EMGT	150	Homeland Security: An Exploration	3	EMGT	150	Dealing with Terrorism, Cybersecurity and Other Emerging Threats	3	Summer 2018
MICR	486	Capstone Experience in Microbiology	3	MICR	486	Capstone Experience in Microbiology – Research Project	2	Spring 2019
MUSC	357	Marching Band Methods & Techniques	1	MUSC	357	Marching Band/Jazz Methods & Techniques	2	Fall 2018
ZOO	370	Cell Biology	3	BIOL	370	Cell Biology	3	Summer 2018
ZOO	410	Comparative Chordate Morphology	3	BIOL	410	Comparative Chordate Morphology	3	Summer 2018
ZOO	444	Vertebrate Histology	3	BIOL	444	Vertebrate Histology	3	Summer 2018

Changes in Prerequisites/Co-Requisites/Course Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite/Description Change	Effective Term

ADHM	253	Interior Design II – Small Scale Contract	Desc: Application of design theory and process to analyze small contract environments. Emphasis on programming, schematics, design development, human factors, and construction documentation of commercial environments. Prereq: ADHM 363 and ADHM 368	Fall 2018
ADHM	351	Interior Design Studio III – Advanced Residential	Prereq: Interior Design major with a minimum cumulative 3.0 GPA, ADHM 253, ADHM 363 and ADHM 368 all with a grade of C or higher. Co-req: ADHM 460 and ADHM 461	Fall 2018
ADHM	353	Interior Design Studio IV – Large Scale Contract Design	Prereq: ADHM 351, ADHM 460, ADHM 461 all with a grade of C or higher and students must be Interior Design majors with a minimum cumulative GPA of 3.0. Co-req: none	Fall 2018
ADHM	363	Commercial Lighting Design and Building Systems	Prereq: ADHM 251, ADHM 264 and ADHM 365 all with a grade of C or higher and students must be Interior Design majors with a minimum cumulative GPA of 3.0. Co-req: ADHM 253 and ADHM 368	Fall 2018
ADHM	455	Apparel Design and Assembly	Desc: Application of the principles and concepts of pattern design and apparel assembly to the creation of garments in a particular category of apparel: tailored jackets, dresses, formalwear and casual sportswear. May be repeated.	Fall 2018
ADHM	460	Career Development and Professional Practice	Prereq: ADHM 253, ADHM 363 and ADHM 368 all with a grade of C or higher and students must be Interior Design majors with a minimum cumulative GPA of 3.0 Co-req: ADHM 351 and ADHM 461	Fall 2018
ADHM	461	Building Information Modeling	Prereq: ADHM 253, ADHM 363 and ADHM 368 all with a grade of C or higher and students must be Interior Design majors with a minimum cumulative GPA of 3.0 Co-req: ADHM 351 and ADHM 460	Fall 2018
ASM	429	Hydraulic Power Principles and Applications	Prereq: Junior standing Co-req: PHYS 211	Spring 2019
CSCI	462/662	Mobile and Wireless Networks	Desc: This course provides students with an understanding of networking and multi-programming with a focus on mobile and wireless networks. Topics include wireless transmission characteristics, mobility management, wireless local area networks, ad hoc and sensor networks, and cellular networks. Students will write some multi-programs. Prereq: CSCI 313 and CSCI 366	Fall 2018
EMGT	445	Vulnerability and Functional Needs in Emergency Management	Prereq: none	Summer 2018
ENGL	120	College Composition II	Desc: Advanced practice in reading and writing of various genres for different situations and audiences. Includes field research, collaboration, and visual communication.	Summer 2018
ENGL	272	Literary Analysis	Desc: Introduction to traditional and contemporary literary and critical theory and to the fundamental skills required for the analysis of literary or other texts.	Fall 2018
MICR	486	Capstone Experience in Microbiology – Research Project	Desc: The capstone experience is the culmination of earlier course work that will allow students to integrate their knowledge of microbiology. The research project course will focus on implementation of the experiments proposed in the experimental design course. Prereq: MICR 485 and Microbiology majors only	Spring 2019
MUSC	357	Marching Band/Jazz Methods & Techniques	Desc: This course is intended to assist in developing the skills and knowledge essential for the successful administration and implementation of a sports band (marching and pep bands) program and a jazz program (big band and combos) within the public-school context. Prereq: Music major	Fall 2018

Course Inactivations			
Subject	No.	Title	Effective Term
ADHM	254	Interior Design Studio III	Fall 2018
BOT	716	Agrostology	Summer 2018

BOT	864	Ecological Processes	Summer 2018
CSCI	458/658	Microcomputer Graphics	Summer 2018
CSCI	460/660	Dynamic Programming	Summer 2018
MATH	451/651	Real Analysis II	Summer 2018
MUSC	358	Jazz Methods	Fall 2018
ZOO	463/663	Physiology of Reproduction	Summer 2018
ZOO	463L/663L	Physiology of Reproduction Laboratory	Summer 2018
ZOO	866	Advanced Animal Behavior	Summer 2018

**North Dakota State University Faculty Senate
Resolution in Support of Chosen Name Use
by Members of the NDSU Community**

- Whereas**, North Dakota State University is committed to providing a safe, healthy, and non-discriminatory environment for all members of the NDSU community and;
- Whereas**, many members of the NDSU community come from cultures with naming traditions and conventions that are different from those commonly practiced in the United States and;
- Whereas**, visa and other legal requirements may force those individuals to adopt names that do not reflect their actual name, for example, FNU (“first name unknown”) and;
- Whereas**, this conflict between legal name and *de facto* name creates administrative barriers for members of our community who come from different cultural groups and;
- Whereas**, other members of the NDSU community, including those who are transgender, gender non-binary, or gender-fluid, may choose to use names that are not their legal names and;
- Whereas**, requesting to be addressed by their chosen names instead of their legal names may require those individuals to reveal their transgender, non-binary, or gender-fluid status publicly, potentially compromising their safety and;
- Whereas**, still other members of the NDSU community may choose to be addressed by names other than their first name (e.g., by a middle name or by initials) and need to inform everyone they encounter in an official capacity of this choice and;
- Whereas**, current policies regarding such identifiers as e-mail addresses and identification cards primarily support only the use of a legal name and;
- Whereas**, bureaucratic restrictions may require that legal names occur on certain documents, including diplomas and transcripts and;
- Whereas**, mismatches between legal and chosen name on various documents and in different settings create confusion, inefficiency, and unnecessary hurdles for members of the NDSU community and;
- Whereas**, addressing a person by their chosen name is basic courtesy and reflects respect for that person’s identity and;
- Whereas**, the ability to use a chosen name in any context where one’s legal name is not explicitly required by law promotes a welcoming and inclusive culture;
- Be it resolved that**, the NDSU Faculty Senate supports the ability of members of the NDSU community to use their chosen names in all situations where a legal name is not required by law and to have their chosen names appear in all contexts where legal name is not required, based on the discretion of the individual and with the approval of the Office of Registration and Records and/or Human Resources.

This resolution was passed *unanimously* by the NDSU Faculty Senate on *March 19, 2018* to be directed to the *North Dakota University System and Core Technology Services*.

Stuart Haring

Stuart Haring, NDSU Faculty Senate President



STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
STATE CAPITOL
600 E BOULEVARD AVE DEPT 125
BISMARCK, ND 58505-0040
(701) 328-2210 FAX (701) 328-2226
www.ag.nd.gov

Wayne Stenehjem
ATTORNEY GENERAL

To: Kelly Hoyt

Date: 03.22.2018

From: Matthew Hammer, Assistant Attorney General *mjh*

The following Policy has been submitted to this office for review:

POLICY 333: Class Attendance Policy and Procedure

Based on said review, I have the following comments:

- Approved with minor housekeeping changes to §3.
-

POLICY APPROVAL

The attached Policy, *333 Class Attendance Policy and Procedure*, is approved.

This policy will be effective:

Date of Signing

Other Effective Date _____
Date

Beth Ingram, Provost

Dean Bresciani, President

Date

Date

**ND Office of Attorney General
Approved: Form & Legal Sufficiency**



Matt Hammer, Assistant Attorney General

3.21.2018
Date

Policy Change Cover Sheet

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



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

SECTION: Policy 333 Class Attendance Policy and Procedure

- 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: Language has been added to clarify what types of absences must be excused. The policy does have to change to be compliant with Title IX rules.
- This policy change was originated by (individual, office or committee/organization):**
 - Charlene Wolf-Hall, Vice Provost, on behalf of the University Curriculum Committee, University Athletics Committee, and the Title IX Coordinator
 - Charlene.hall@ndsu.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: https://www.ndsu.edu/fileadmin/policy/Policies_in_Process/013017/minutes013017.doc

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 ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

North Dakota State University

Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY AND PROCEDURE

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. These instances are described in the following sections. Absences not covered by this policy are excusable at the discretion of the instructor. 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 [NDSU Student Health Service](#) does not provide students with excuses for class absences or tardiness due to illness or injury.

2. INSTRUCTOR RESPONSIBILITY

- a. Students must be clearly informed on the first day of class in writing in the syllabus (1) of class policy regarding class absence (including if supporting documentation is required); and (2) of class policy for making up missed coursework. 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. Guidelines for best practices for managing make up work are available through the Provost's Office.

3. STUDENT RESPONSIBILITIES AND RECOURSE

Students who anticipate excusable absences shall notify the instructor as soon as possible, preferably by the third week of class, but no later than one week before the absence. In the case of unanticipated excusable events, the student needs to contact the instructor as soon as possible. Students have the responsibility to visit with the instructor if exams or assignments are scheduled during times where absences are required.

Unless covered by another policy, Students-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 https://www.ndsu.edu/provost/academicaffairs/student_grievances/.

Comment [CH1]: This will link to the information once the policy and guidelines are approved.

4. 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.

5. 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 childcare responsibilities impact a student, instructors are encouraged to accommodate students with childcare responsibilities.

6. 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](#).

7. OTHER EXCUSED ABSENCES

- a. Legally mandated absences such as jury duty or court subpoena.
- b. Absences due to military duty or veteran status, including service related medical appointments, where failure to appear might result in a loss of benefits.

1. GENERAL PHILOSOPHY

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

2. FACULTY RESPONSIBILITY

- a. ~~The course instructor must clearly inform students on the first day of class and in writing in the syllabus (1) of their policy regarding class absence (including if supporting documentation is required; and (2) policy for making up missed assignments. It is recognized that sometimes an assignment is impossible to make up.~~
- b. ~~The course instructor must exercise a fair and consistent standard for resolving questions of missed assignments, the type, extent, manner, and time frame of the make-up assignments.~~

3. STUDENT RESPONSIBILITY

- a. ~~Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two-week notice). Where advance notification is not possible (e.g., illness, family emergency), students should contact their course instructor as soon as possible about the absence. Veterans and student servicemembers with special circumstances or who are activated, to include State Active Duty, are encouraged to notify the instructor as soon as possible, provide Activation Orders if possible, and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.~~
- b. ~~When a student misses class for any reason, the student is responsible for contacting the instructor to make arrangements to follow the course instructor's policy in making up any missed assignments, if permitted.~~

HISTORY:

New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004
Amended	June 2007
Housekeeping	February 14, 2011
Amended	January 28, 2014
Amended	April 24, 2014

Excused Student Absences

Guidance for Instructors and Managers of University Sanctioned Events

Last Updated January 24, 2018

These guidelines are provided as a resource for instructors to help manage required student absences (see NDSU Policy 333 Class Attendance Policy) and for managers of university sanctioned events to proactively ensure that instructors are alerted in a timely way with clear information about the absence. If you have any questions about these guidelines or how to manage required absences in a course, please contact the Vice Provost for Academic Affairs, Charlene Wolf-Hall (Old Main 103B, 701-231-6163, charlene.hall@ndsu.edu).

1. **University Sanctioned Events** include those defined by the Congress of Student Organizations [guidelines](#) as Tier 1 and Tier 2. Students in Tier 1 and Tier 2 student organizations will be eligible for excused absences. It is recommended that all Tier 1 and 2 organizations follow clear procedures for excusing their members from class.

Other university sanctioned events include “mandatory participation as a student athlete in NCAA-sanctioned competition, performing arts outreach, exhibitions, competitions, academic meetings, and conferences” (NDSU Policy 333).

Athletics has established clear procedures as examples for other managers of university sanctioned events. Athletics has outlined procedures for student absences and protocol for taking exams while traveling. See Appendices [A](#) and [B](#) for full protocol and sample excuse letters.

Below is the Tier 1 and 2 descriptions as they appear in the Congress of Student Organizations guidelines.

“Title 5 Recognition Policy

5.1. The Tier System

- 5.1.1. In an effort to maintain consistency from year to year, organizations are categorized into three tiers.

- 5.1.1.1. Tier I: A Tier I entity is defined as an organization which meets these qualifications:

The organization provides important services to the entire student body;

The organization has established a continued and prominent

existence in the NDSU community and will continue to remain in existence for an extended period of time;

The organization requires consistent funding to allow for continued existence and appropriate standing.

These organizations will receive a percentage of the Student Activity Fee as recommended by the Finance Advisory Board and the Finance Commission, and approved by the Student Senate. They include: Bison Athletics, Fine Arts, Memorial Union, Campus Recreation, Media Advisory Board, Student Government, and Campus Attractions.

The Media Advisory Board encompasses the *Spectrum*, Thunder Radio and Bison Information Network. These are to be referred to as student-run sub-Tier I student organizations. Any other student media organization that qualifies for the Media Advisory must seek CSO recognition as a Tier II organization.

- 5.1.2. Tier II: A Tier II student organization must allow any student to be involved in their student organization. Any type of membership restriction, objective or subjective, will move a student organization from Tier II to Tier III. Tier II student organizations charging dues must allow their non-due paying members to fully participate in the student organizations' activities, i.e. general meetings, opportunity to participate in events, etc.”

2. Assignments that can't be made up

When a student must be excused during a class period that has a one-time activity that is not possible to provide in the same manner as a makeup assignment, instructors are encouraged to substitute any equivalent activity or assignment for the missed work. If there is no practical substitution for the assignment, instructors can comply with Policy 333 by not factoring the missed assignment into the final course grade.

An example, if a student misses a microbiology lab class that has points assigned for hands-on activity in the lab, the instructor might assign an essay about the learning objective for that lab session for the same amount of points but intrinsically no more difficult than the original assignment.

Another example could be a class discussion with points associated with it is missed. The instructor might have an alternative online discussion board for makeups.

3. Religious Accommodations

Instructors are encouraged to consider major religious event [dates](#) in the scheduling of assignments during the course of the semester. Avoiding some of these dates may help alleviate the need for makeup assignments.

The [University of Arizona](#) provides some useful information for religious accommodation, including:

“What are some ways to accommodate a student’s need to miss class for religious reasons?”

Reasonable accommodations are necessarily determined on an individual basis and depend on the circumstances. They might include rescheduling an exam or giving the student a make-up exam, allowing an individual or group presentation to be made on a different date, letting a student attend a different discussion section for the same class that week, adjusting a due date, or assigning the student appropriate make-up work that is intrinsically no more difficult than the original assignment.

As a student, how should I ask my instructor for a religious accommodation?

A student should make his or her religious accommodation request to the instructor or faculty member in charge of the course. Students are asked to examine the course syllabus for potential conflicts at the start of the semester and promptly notify the instructor of any anticipated accommodation needs, providing as much notice as possible. If an instructor has asked that requests be made in a certain way (such as by e-mail), it is best to make the request in that manner; in any case, clearly specify the reason for the requested absence or other accommodation. Students are responsible for arranging in advance to make up missed work or material in a timely manner.”

4. Equivalencies of work

Make-up assignments must intrinsically be no more difficult than the original assignment, otherwise the practice is potentially discriminatory.

The environment where a student is making up an assignment should also be considered. When students are traveling for sanctioned events, they may not be housed in spaces suitable for the work needed to complete makeup assignments or may have access problems for online assignments that may cause undue stress for the both the student and the instructor expecting the work submission.

5. Dealing with the unusual cases

Students can experience catastrophes of all sorts that you may not anticipate and may struggle with how to manage absences for.

What [Student Affairs](#) does with emergencies – “When notified by the student of specific emergencies we send notification to the student’s instructors, academic advisor, and residence life staff via an email. We don’t provide a lot of detail in the email to protect student privacy, but just state that we have been notified of an emergency that will prevent the student from attending classes. We attach this document -

<https://www.ndsu.edu/fileadmin/enrollmentmanagement/Forms/absence.notification.for.faculty.pdf>”

Sometimes incomplete grades or retroactive withdrawals may be necessary.

- <https://bulletin.ndsu.edu/academic-policies/incomplete-grades/> and <https://www.ndsu.edu/fileadmin/policy/336.pdf>
- <https://www.ndsu.edu/fileadmin/registrar/forms/retroactivewithdraw.pdf>

When you can’t determine the best course of action, please call the Provost’s Office to help trouble-shoot. We are here to help.

Appendix A

Athletic Academic Protocol for missed assignments, quizzes and exams

Introduction

1. Student-athlete is required within the first 5 days of class to introduce themselves to the instructor and let them know that they are a student-athlete.
2. In the initial conversation the student-athlete needs to let the instructor know they will be missing some classes when they are traveling with the team. **At that time the student-athlete needs to ask if they will be willing to work with them to get assignments, quizzes and tests done before they leave or made up within 2 days of their return.** If the instructor wants the student-athlete to meet with them during their office hours to discuss the method in which they want them to make up the missed assignments, quiz or test the student needs to make sure they follow through with the request before leaving or when the professor wants to meet with them. **It is not the responsibility of the instructor to chase the student-athlete down to complete missed assignments, quizzes and exams.**
3. If the student-athlete knows how many days at the time of the conversation they need to let the instructor know the total days they will be absent. **The student-athlete is required to be in class if they are in town.**
4. As soon as the student-athlete receives the travel letter from the coach the student needs to provide it to the instructor. If the instructor does not want the letter, it is the responsibility of the student-athlete to remind the instructor when they will be traveling.

Missing assignments, quizzes and tests

1. The week of team travel the student-athlete should remind the instructor they will be indeed traveling and what assignments, quizzes and or exams they will be missing.
2. If they are missing an assignment, quiz or test during that time, ask if they can turn in the assignment early or take the quiz or test the day before departing.
3. If the instructor wants the quiz or exam proctor on the trip then the student-athlete will follow the following protocol. (Please note the Athletic Trainer who travels with the team will proctor the quiz or exam).
 - a. Ask the instructor if they would like to contact Athletic Academics to set-up the process or do they want Athletic Academics to contact the instructor.
 - b. Once contact between the instructor and Athletic Academics occur the following protocol is followed;
 - i. Athletic Academics will talk to the instructor and find out the procedures the instructor wants the student-athlete to follow while taking the quiz or exam.
 - ii. Athletic Academics will procure the quiz or exam in the method the instructor prefers, which can be a hard copy or email copy.
 - iii. Athletic Academics will make a copy of the quiz or exam, if emailed and seal it in an envelope with instructions on how to take the exam, duration and any material that will be allowed to be used during the quiz or exam.

- iv. There will also be another envelope in the initial packet that the proctor of the quiz or exam will seal the completed quiz or exam in and sign over the seal.
 - v. Once the team is back in town from the trip, Athletic Academics will obtain the sealed envelope from the proctor and deliver it to the instructor.
4. If the instructor prefers for Athletic Academics to proctor any quiz or test at the Athletic Academic Center in the SHAC prior to the student-athlete leaving or upon returning from travel the same protocol is used unless it is an online quiz or exam that will automatically be scored and returned to the instructor.
5. If the travel occurs during dead or finals week and the exam is the final, the Athletic Academic staff will travel with the team and proctor the exam.

Contacts for Athletic Academics:

Kelli Layman – Associate Director Athletic Academics

Kelli.Layman@ndsu.edu 231-5781 Oversees Football & Softball

Ashley Harris – Assistant Director Athletic Academics

Ashley.M.Harris@ndsu.edu 231-5556 Oversees MBB, Soccer, Men's Track and Volleyball

Chris Held – Interim Assistant Director Athletic Academics

Christopher.Held@ndsu.edu 231-5557 Oversees Baseball, WBB and Wrestling

Carter Kruckenberg – Athletic Academic/Student Development Coordinator

Carter.Kruckenberg@ndsu.edu 231-5499 Oversees M-Golf, W-Golf, Women's Track and assists with Football

Appendix B

January 8, 2018

Dear Instructor:

Please excuse the following student-athletes on the women's basketball team, from class on the following dates as they will be traveling with the team to participate in intercollegiate basketball games.

Emily Dietz
Anna Goodhope
Macey Kvilvang
Tyrah Spencer

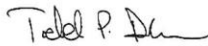
Marina Fernandez
Reilly Jacobson
Rylee Nudell
Taylor Thunstedt

Michelle Gaislerova
Sarah Jacobson
Autumn Ogden
Danneka Voegeli

Wednesday, January 10
Thursday, January 11
Friday, January 12
Tuesday, January 23
Wednesday, January 24
Thursday, January 25
Friday, January 26
Thursday, February 1 – from 2:00 p.m. on for team shoot around
Thursday, February 8 – from 2:00 p.m. on for team shoot around
Wednesday, February 14
Thursday, February 15
Friday, February 16
Thursday, February 22 – from 2:00 p.m. on for team shoot around

Thank you for your cooperation in this matter.

Sincerely,



Todd Phelps
Deputy Director of Athletics



Maren Walseth
Head Women's Basketball Coach

Maren Walseth | Head Basketball Coach

NDSU Dept 1200 | PO Box 6050 | Fargo ND 58108-6050
Office: 701.231.6172 | Fax: 701.231.6246 | www.GoBison.com



NORTH DAKOTA STATE FOOTBALL

THE TRADITION CONTINUES



11/14/17

TEAM TRAVEL

The Bison football team will be traveling to Normal, Illinois on Friday, November 17. The following is a list of the travel squad. The students listed below will be absent from classes starting at 11:50 a.m.

Jalen Allison
Bruce Anderson
Luke Bacon
Eric Bachmeier
Chris Board
Marquise Bridges
Ty Brooks
Jaxon Brown
Caleb Butler
Desmond Cain
Colin Conner
Jabril Cox
Cole Davis
Niek DeLuca
Leo Dempsey
Ben Ellefson
Sean Engel
James Fisher
Tre Fort
Dallas Freeman
Robert Grimsley
Joshua Hayes
James Hendricks

Student Trainers
Mason Ankenbauer
Adam Estabrooks
Sami Fuhrmann
MacKenzie Kittelson
Natalie Steblay

Keenan Hodenfield
Jeff Illies
Nate Jenson
Zack Johnson
Stanley Jones
Cole Karcz
Darren Kelley
Ross Kennelly
Victor Kizewski
Jackson Koonce
Zach Kubas
Austin Kuhnert
Garrett Malstrom
Logan McCormick
Greg Menard
Aaron Mercadel
Bryce Messner
Grant Morgan
Erik Olson
Beau Pauly
Cam Pedersen
Matt Plank
Daniel Polansky

Equipment Personnel
Sam Clausen
Mo Ibrahim
Devin Klieman
Taylor Parker
Tran Zerface

Brock Robbins
Karson Schoening
Darrius Shepherd
Aaron Steidl
Easton Stick
Nathan Tanguay
Derrek Tuszka
Jarrod Tuszka
RJ Urzendowski
Henry Van Dellen
Cordell Volson
Tanner Volson
Connor Wentz
Blake Williams
Dimitri Williams
Seth Wilson
Jaylaan Wimbush
Zack Ziemer

To Be Determined:
Matt Anderson
Adam Cofield
Garret Wegner

Video Personnel
Andrew Moore
Aaron Sisk
Jacob Tepp

Thank you for your time and consideration in the above matter.


Chris Klieman
Head Football Coach


Mathew Larsen
Director of Athletics

January 1, 2018

Dear Instructor:

Please excuse Cameron Hunter, student-athlete for the men's basketball team, from class on the following dates as he will be traveling with the team when they participate in intercollegiate basketball games

Thursday, January 11 – from noon on for team shoot around
Tuesday, January 16 – from noon on for team shoot around
Friday, January 19
Thursday, January 25 – from noon on for team shoot around
Thursday, February 1
Friday, February 2
Wednesday, February 7
Thursday, February 8
Friday, February 9
Tuesday, February 13– from noon on for team shoot around
Wednesday, February 21
Thursday, February 22
Friday, February 23
Friday, March 2
Monday, March 5
Tuesday, March 6

Thank you for your cooperation in this matter.

Sincerely,



Matthew Larsen
Director of Athletics



David Richman
Head Men's Basketball Coach

NDSU Faculty Senate Agenda
May 7, 2018
Prairie Rose Room, Memorial Union

- I. Call to order
- II. Attendance/substitutions
- III. Adoption of agenda
- IV. Approval of previous meeting minutes from April 9, 2018
- V. Announcements
 - a. Dean Bresciani, President
 - b. Beth Ingram, Provost
 - c. Stuart Haring, Faculty Senate President
 - d. Erin Gillam, Faculty Senate President-Elect
 - e. Jered Pigeon, Staff Senate President
 - f. Chase Grindberg, Student Body President
- VI. Consent agenda
 - a. Policies
 - i. 706 – Traffic and Safety/University Police (update to possession and use of dangerous weapons to be compliant with NDUS policy as well as to better define double-authorization process) (**Attachment 1**)
 - ii. 713 – Records Management (cleanup of policy due to campus reorganization and renaming; **Attachment 2**)

All policy documents are available at:
https://www.ndsu.edu/policy/senate_coordinating_council/
 - b. UCC report (**Attachment 3**).
- VII. Unfinished Business
 - a. None
- VIII. New Business
 - a. Policies

- i. 333 – Class Attendance Policy and Procedure (**Attachment 4**); Absence Guidelines (**Attachment 5**); UCC responses to Faculty about questions from last Faculty Senate meeting (**Attachment 6**)

All policy documents are available at:

https://www.ndsu.edu/policy/senate_coordinating_council/

- b. Election:

- i. Faculty Senate President.

- a. Kenneth Lepper (**Attachment 7**)
 - b. Molly Secor-Turner (**Attachment 8**)
 - c. Tracy Barrett (**Attachment 9**)

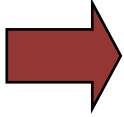
- ii. Standing Committee on Faculty Rights (SCOFR) – faculty-wide election Mon, May 7-
Mon, May 14 via Qualtrics

- c. Passing of the gavel.

- IX. Adjourn

Policy Change Cover Sheet

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



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

SECTION: Policy 706 Traffic and Safety/University Police

- 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: To incorporate amended SBHE policy 916.1 procedures related to University President authorization for storage of dangerous weapons in non-student residential units on NDSU properties. SBHE Policy 916.1 was recently amended to incorporate changes to N.D.C.C. 62.1-02-05. Additional housekeeping changes are included on dangerous weapon definition and clarifying the exemption for law enforcement personnel as per ND Century Code and Fargo Ordinances.
- This policy change was originated by (individual, office or committee/organization):
 - Director, University Police and Safety Office, Mike Borr 2/28/2018
 - mike.borr@nds.edu

This portion will be completed by SCC Secretary (Kelly Hoyt).

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:

Responsible Office:

Legal Review:

Faculty Senate:

Staff Senate:

Student Government:

President:

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

North Dakota State University

Policy Manual

SECTION 706

TRAFFIC AND SAFETY/UNIVERSITY POLICE

SOURCE: NDSU President
[SBHE Policy 916.1](#)

1. The University Police Office is located in the ~~Auxiliary Enterprise Building~~[University Police and Safety building](#).
2. The University Police are licensed officers with full arrest powers providing 24-hour coverage. All emergency and criminal matters should be brought to the attention of the University Police Office.
 - 2.1 Police contact normally may be made by calling 231-8998. Emergency calls may be made by calling 911.
 - 2.2 Building security is maintained on a schedule for locking/unlocking entrance doors. All requests for academic room space should be directed to the Office of Registration and Records, 231-7745. Should circumstances require a schedule change, a request should be submitted, in writing, with the appropriate departmental administrator approval, at least one working day in advance of the requested schedule change. Additional information on building security may be found in SECTION 707: ACCESS CONTROL AND BUILDING SECURITY.
3. Visitors to NDSU are expected to respect the need for NDSU employees to conduct business in their respective areas in an orderly and timely manner. When individuals have no legitimate business or when they have been given adequate time to complete their business and subsequently proceed to interfere with University activities or operations, immediate compliance with the law may be enforced. Failure to comply with an NDSU police officer's request to leave the premises may result in the arrest of an individual(s) for criminal trespass or other appropriate charge.

NDCC Sec. 12.1-22-03(3) makes a person guilty of a Class B misdemeanor if:

"Knowing that he is not licensed or privileged to do so, he enters or remains in any place as to which notice against trespass is given by actual communication to the actor by the person in charge of the premises or other authorized personnel or by posting in a manner reasonably likely to come to the attention of intruder."

4. Unauthorized possession or use of ~~weapons~~[dangerous weapons per NDCC 62.1-01 and Fargo Municipal Code 10-0304](#) on University owned or controlled property is prohibited, unless permission for possession and/or use has been granted by an appropriate University official. ~~Weapons~~[Dangerous weapons](#) include but are not limited to firearms, ammunition, bombs, explosives, clubs, dirks, martial arts weapons, sling shots, [slung shot](#), bows and arrows, sabers, swords, knives used primarily for hunting ~~relating~~[related](#) purposes, war souvenirs, incendiary devices, fireworks, pellet guns, ~~bb~~[BB](#) guns, paintball guns, stun guns, dangerous chemicals or fuels, or other dangerous objects or substances. Items not traditionally used as weapons may be

considered weapons when those items are used to inflict bodily injury or to threaten the infliction of bodily injury on others. Examples include, but are not limited to baseball bats and kitchen utensils.

Exceptions to this policy include authorized law enforcement officials carrying out the lawful discharge of their duties.

Contact the Director, University Police &and Safety Office, for authorization. The Director will coordinate approval with the appropriate Vice President(s) and/or President. This policy shall not prohibit persons from possessing, storing, or using weapons at approved locations for the purpose of meeting the requirements of a recognized educational program and/or student group sponsored by the University.

HISTORY:

New	July 1990
Amended	December 1992
Amended	May 1996
Amended	April 2003
Amended	May 2007

Policy Change Cover Sheet

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



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

SECTION: Policy Number and Name: 713 – Records Management

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? Yes No
 - Describe change: Updated changes due to campus restructure and staff reorganization.
2. This policy change was originated by (individual, office or committee/organization):
 - Office/Department/Name and the date submitted: Wendy McCrory, Records Management
 - Email address of the person who should be contacted with revisions: wendy.mccrory@nds.edu

This portion will be completed by SCC Secretary (Kelly Hoyt).

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

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

Senate Coordinating Committee:

Responsible Office:

Legal Review:

Faculty Senate:

Staff Senate:

Student Government:

President:

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

North Dakota State University Policy Manual

SECTION 713 RECORDS MANAGEMENT

SOURCE: NDSU President

I. POLICY and PURPOSE

A. The policy and purpose for **R**ecords **M**anagement is to

1. Comply with all applicable state, and federal laws and regulations, specifically North Dakota Century Code 54-46, and the North Dakota State University Records Retention Schedule found on the NDSU Records Management Web site.
2. Establish an efficient University-wide records management system for maintaining, identifying, retrieving, preserving and destroying records through the use of best practices and standards and according to North Dakota Century Code and all applicable federal laws.
3. Ensure that records are adequately protected and/or preserved.
4. Ensure that all records that are no longer needed or of no value are destroyed at the appropriate time.
5. Preserve University history.
6. Limit liability to the University.

II. SCOPE

This policy applies to all records, including all University information and University resources, regardless of format, whether in paper, electronic, (e.g., microfilm, microfiche, magnetic tapes, USB flash drive, CD/DVD ROM), electronic mail, or other electronic medium. The North Dakota Century Code (NDCC 54-46-02) defines a record as a "document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business." A "State Record" is further defined as "a record of a department, office, commission, board, or other agency, however designated, of the state government.

III. OBJECTIVE

The objective of the **R**ecords **M**anagement policy is to assist and provide guidance to the University entities in managing records throughout the lifecycle of the record, i.e., from creation or receipt, during use, the maintenance stage and final disposition. Records produced in the course of University business must adhere to federal and state laws/regulations including access, storage, retention and disposal.

IV. APPLICABILITY

This policy applies to anyone who creates, disseminates, stores, manages, destroys and/or has access to NDSU records of any type, classification or description. This includes all NDSU employees

Attachment 2

and students who have access to records and external entities, such as vendors whose purpose may be to provide storage space or destruction services for records.

V. RELATED POLICIES AND APPLICABLE STATE LAW

Standards, guidelines and procedures will follow and adhere to all policies and laws listed but not necessarily limited to:

1. North Dakota Century Code 54-46;
2. NDUS Policy 1901.2.1, Data Classification Standard;
3. NDUS Policy 1912, Public Records and related procedures 1912.1, Information Security Procedures;
4. NDUS 1912.2, Student Records – Directory Information
5. NDUS 1912.3, Employee Personal Information;
6. NDSU Policy 713.1, Litigation Hold; and
7. NDSU Policy 718, Public/Open Records.

VI. RECORDS MANAGEMENT PROGRAM OVERSIGHT

- A. The Records Management Advisory Committee (RMAC) will be responsible for Records Management policy, standards, guidelines, processes and procedures. The advisory committee RMAC is comprised of:
1. ~~The RMAC chair, appointed by the Vice President for Information Technology (VPIT); The NDSU Chief Information Security Officer who serves as the Director of Records Management (ex chair); appointed by the vice president for Information Technology VPIT) and serving as RMAC chair;~~
 2. ~~The Associate Director for the NDSU Library (ex chair); Records Management Coordinator, (appointed by the VPIT; VPIT designee)~~
 3. A faculty member appointed by the Faculty Senate Executive Committee;
 4. Two unit records coordinators (URCs) appointed by the Staff Senate Executive Committee;
 5. The University provost and the vice presidents or their designees (other than the VP-IT);
 6. An archivist from the University Archives;
 7. An attorney appointed to NDSU or a designee; and
 8. A Student Government member appointed by the Student Government President.
 9. If any ~~Advisory Committee RMAC~~ member is unable to attend a scheduled meeting, a proxy may be sent ~~in their/her/his place~~.
- B. ~~The NDSU Director of Records Management VP IT designee serving as chair, reports to the Vice President for Information Technology. The role of Director of Records Management will of the NDSU RMAC chair~~ includes:
1. Coordinating retention, preservation and destruction processes for University records in accordance with this Policy and University Records Management procedures and practices;
 2. Assisting with efforts to comply and respond to any issued Litigation Hold Notices and public records requests in a timely manner;
 3. Ensuring that all ~~Unit Records Coordinators (URCs) appointed by University units~~ receive ongoing training and education;

Attachment 2

4. Collecting and compiling annual disposal records as submitted by the URCs and reporting those metrics/statistics to the State's Records Management office;
5. Investigating and reporting on any potential non-compliance to the corresponding Unit Administrator, and to the Vice President for Information Technology/VPIIT if applicable, and, where appropriate and needed, recommending and requiring remediation to ensure compliance;
6. Maintaining an up-to-date list of URCs and their contact information;
7. Sharing information as needed and relevant to the Records Management Task Force/RMAC, and the URCs, and;
8. Providing current and updated information on the records management Web site, www.ndsu.edu/recordsmanagement/.

Commented [CR1]: Does the current web-based disposal reporting change item 4? In either case, we'll also need to update our training material and quizzes (I'm adding that on my to-do list, to do after we've finalized our documentation on this).

D.C. The NDSU Records Management Coordinator:

1. Is appointed by the Vice President for Information Technology/VPIIT;
2. Assists the RMAC Director of Records Management chair and Records Management Advisory Committee the RMAC members as needed;
3. Serves as the liaison between the URCs and the RMAC Director of Records Management chair.

E.D. NDSU Unit Records Coordinators/URCs are appointed by their respective department heads, and their role includes:

- *1. Providing assistance to faculty, staff and administrators in their units for retention, preservation and destruction/position of their unit's records in accordance with this Policy's procedures and practices, institutional requirements, and state and federal laws;
- *2. Serving as the liaison between their unit and the Director of Records Management/NDSU's records management leadership and the Records Management Task Force/RMAC;
- *3. Completing continuing education and training on an annual basis;
- *4. Submitting records disposal forms/documentation to the Director of Records Management as required by policy and state law.

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HISTORY:

New	August 20, 1996
Amended	January 22, 2002
Amended	June 11, 2007
Amended	August 1, 2007
Amended	September 2007
Amended	November 2008
Amended	April 2009
Housekeeping	September 2010
Housekeeping	February 14, 2011
Amended	June 11, 2015
Housekeeping	October 2, 2015
Amended	April 26, 2016

**University Curriculum Committee Report
For Faculty Senate Meeting on May 7, 2018**

New Program
MPH degree – new accelerated program for Dietetics and Master of Public Health

Program Changes
M.S.; International Agribusiness – adding some core courses and changing the electives total
B.S./B.A. Physics; Optical Science and Engineering option – changing some Math required courses and adding PHYS 488
B.S./B.A. Physics; Standard option – changing some Math required courses

New Courses			
Subject	No.	Title	Effective Term
CSCI	409/609	Cybersecurity Law and Policy	Fall 2018
MBA	723	Digital Marketing	Fall 2018
MUSC	733	Choral Studies and Pedagogy	Fall 2018
UNIV	101	Major Exploration and Academic Planning	Fall 2018

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
CSCI	476/676	Computer Forensics	3	CSCI	410/610	Computer Crime and Forensics	3	Fall 2018
HIST	423/623	U.S. History 1829-1917 II	3	HIST	423/623	The Gilded Age and Progressive America	3	Fall 2018
MATH	429/629	Linear Algebra	3	MATH	429/629	Topics in Linear Algebra	3	Fall 2018

Changes in Prerequisites/Co-Requisites/Course Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite/Description Change	Effective Term
CSCI	410/610	Computer Crime and Forensics	Desc: This course covers the basic types of computer crimes. It introduces principles, techniques, tools, and practical skills necessary to perform rudimentary investigations of incidents in which computers play a significant or interesting role. Prereq: CSCI 161	Fall 2018
MATH	429/629	Topics in Linear Algebra	Desc: Advanced topics in linear algebra with a focus on understanding the theoretical foundation of the subject and its uses in advanced mathematics. Topics may vary. Prereq: MATH 270 and MATH 329	Fall 2018

Course Inactivation			
Subject	No.	Title	Effective Term
BOT	380	Plant Physiology	Summer 2018



STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
600 E BOULEVARD AVE DEPT 125
BISMARCK, ND 58505-0040
(701) 328-2210 FAX (701) 328-2226
www.ag.nd.gov

Wayne Stenehjem
ATTORNEY GENERAL

To: Kelly Hoyt

Date: 03.22.2018

From: Matthew Hammer, Assistant Attorney General *mjh*

The following Policy has been submitted to this office for review:

POLICY 333: Class Attendance Policy and Procedure

Based on said review, I have the following comments:

- Approved with minor housekeeping changes to §3.
-

POLICY APPROVAL

The attached Policy, *333 Class Attendance Policy and Procedure*, is approved.

This policy will be effective:

Date of Signing

Other Effective Date _____
Date

Beth Ingram, Provost

Dean Bresciani, President

Date

Date

**ND Office of Attorney General
Approved: Form & Legal Sufficiency**



Matt Hammer, Assistant Attorney General

3-21-2018

Date

Policy Change Cover Sheet

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



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

SECTION: Policy 333 Class Attendance Policy and Procedure

- 1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 - Is this a federal or state mandate? Yes No
 - Describe change: Language has been added to clarify what types of absences must be excused. The policy does have to change to be compliant with Title IX rules.
- 2. This policy change was originated by (individual, office or committee/organization):**
 - Charlene Wolf-Hall, Vice Provost, on behalf of the University Curriculum Committee, University Athletics Committee, and the Title IX Coordinator
 - Charlene.hall@ndsu.edu

This portion will be completed by Kelly Hoyt.

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

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

Senate Coordinating Committee: https://www.ndsu.edu/fileadmin/policy/Policies_in_Process/013017/minutes013017.doc

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 ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

North Dakota State University

Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY AND PROCEDURE

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. These instances are described in the following sections. Absences not covered by this policy are excusable at the discretion of the instructor. 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 [NDSU Student Health Service](#) does not provide students with excuses for class absences or tardiness due to illness or injury.

2. INSTRUCTOR RESPONSIBILITY

a. Students must be clearly informed on the first day of class in writing in the syllabus (1) of class policy regarding class absence (including if supporting documentation is required); and (2) of class policy for making up missed coursework. 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. Guidelines for best practices for managing make up work are available through the Provost's Office.

3. STUDENT RESPONSIBILITIES AND RECOURSE

Students who anticipate excusable absences shall notify the instructor as soon as possible, preferably by the third week of class, but no later than one week before the absence. In the case of unanticipated excusable events, the student needs to contact the instructor as soon as possible. Students have the responsibility to visit with the instructor if exams or assignments are scheduled during times where absences are required.

Unless covered by another policy, ~~Students~~ 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 https://www.ndsu.edu/provost/academicaffairs/student_grievances/.

Comment [CH1]: This will link to the information once the policy and guidelines are approved.

4. 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.

5. 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 childcare responsibilities impact a student, instructors are encouraged to accommodate students with childcare responsibilities.

6. 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](#).

7. OTHER EXCUSED ABSENCES

- a. Legally mandated absences such as jury duty or court subpoena.
- b. Absences due to military duty or veteran status, including service related medical appointments, where failure to appear might result in a loss of benefits.

1. GENERAL PHILOSOPHY

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

2. FACULTY RESPONSIBILITY

Attachment 4

- a. ~~The course instructor must clearly inform students on the first day of class and in writing in the syllabus (1) of their policy regarding class absence (including if supporting documentation is required; and (2) policy for making up missed assignments. It is recognized that sometimes an assignment is impossible to make up.~~
- b. ~~The course instructor must exercise a fair and consistent standard for resolving questions of missed assignments, the type, extent, manner, and time frame of the make-up assignments.~~

3. STUDENT RESPONSIBILITY

- a. ~~Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two-week notice). Where advance notification is not possible (e.g., illness, family emergency), students should contact their course instructor as soon as possible about the absence. Veterans and student servicemembers with special circumstances or who are activated, to include State Active Duty, are encouraged to notify the instructor as soon as possible, provide Activation Orders if possible, and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.~~
- b. ~~When a student misses class for any reason, the student is responsible for contacting the instructor to make arrangements to follow the course instructor's policy in making up any missed assignments, if permitted.~~

HISTORY:

New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004
Amended	June 2007
Housekeeping	February 14, 2011
Amended	January 28, 2014
Amended	April 24, 2014

Excused Student Absences

Guidance for Instructors and Managers of University Sanctioned Events

Last Updated January 24, 2018

These guidelines are provided as a resource for instructors to help manage required student absences (see NDSU Policy 333 Class Attendance Policy) and for managers of university sanctioned events to proactively ensure that instructors are alerted in a timely way with clear information about the absence. If you have any questions about these guidelines or how to manage required absences in a course, please contact the Vice Provost for Academic Affairs, Charlene Wolf-Hall (Old Main 103B, 701-231-6163, charlene.hall@ndsu.edu).

1. **University Sanctioned Events** include those defined by the Congress of Student Organizations [guidelines](#) as Tier 1 and Tier 2. Students in Tier 1 and Tier 2 student organizations will be eligible for excused absences. It is recommended that all Tier 1 and 2 organizations follow clear procedures for excusing their members from class.

Other university sanctioned events include “mandatory participation as a student athlete in NCAA-sanctioned competition, performing arts outreach, exhibitions, competitions, academic meetings, and conferences” (NDSU Policy 333).

Athletics has established clear procedures as examples for other managers of university sanctioned events. Athletics has outlined procedures for student absences and protocol for taking exams while traveling. See Appendices [A](#) and [B](#) for full protocol and sample excuse letters.

Below is the Tier 1 and 2 descriptions as they appear in the Congress of Student Organizations guidelines.

“Title 5 Recognition Policy

5.1. The Tier System

- 5.1.1. In an effort to maintain consistency from year to year, organizations are categorized into three tiers.

- 5.1.1.1. Tier I: A Tier I entity is defined as an organization which meets these qualifications:

The organization provides important services to the entire student body;

The organization has established a continued and prominent

existence in the NDSU community and will continue to remain in existence for an extended period of time;

The organization requires consistent funding to allow for continued existence and appropriate standing.

These organizations will receive a percentage of the Student Activity Fee as recommended by the Finance Advisory Board and the Finance Commission, and approved by the Student Senate. They include: Bison Athletics, Fine Arts, Memorial Union, Campus Recreation, Media Advisory Board, Student Government, and Campus Attractions.

The Media Advisory Board encompasses the *Spectrum*, Thunder Radio and Bison Information Network. These are to be referred to as student-run sub-Tier I student organizations. Any other student media organization that qualifies for the Media Advisory must seek CSO recognition as a Tier II organization.

- 5.1.2. Tier II: A Tier II student organization must allow any student to be involved in their student organization. Any type of membership restriction, objective or subjective, will move a student organization from Tier II to Tier III. Tier II student organizations charging dues must allow their non-due paying members to fully participate in the student organizations' activities, i.e. general meetings, opportunity to participate in events, etc.”

2. Assignments that can't be made up

When a student must be excused during a class period that has a one-time activity that is not possible to provide in the same manner as a makeup assignment, instructors are encouraged to substitute any equivalent activity or assignment for the missed work. If there is no practical substitution for the assignment, instructors can comply with Policy 333 by not factoring the missed assignment into the final course grade.

An example, if a student misses a microbiology lab class that has points assigned for hands-on activity in the lab, the instructor might assign an essay about the learning objective for that lab session for the same amount of points but intrinsically no more difficult than the original assignment.

Another example could be a class discussion with points associated with it is missed. The instructor might have an alternative online discussion board for makeups.

3. Religious Accommodations

Instructors are encouraged to consider major religious event [dates](#) in the scheduling of assignments during the course of the semester. Avoiding some of these dates may help alleviate the need for makeup assignments.

The [University of Arizona](#) provides some useful information for religious accommodation, including:

“What are some ways to accommodate a student’s need to miss class for religious reasons?”

Reasonable accommodations are necessarily determined on an individual basis and depend on the circumstances. They might include rescheduling an exam or giving the student a make-up exam, allowing an individual or group presentation to be made on a different date, letting a student attend a different discussion section for the same class that week, adjusting a due date, or assigning the student appropriate make-up work that is intrinsically no more difficult than the original assignment.

As a student, how should I ask my instructor for a religious accommodation?

A student should make his or her religious accommodation request to the instructor or faculty member in charge of the course. Students are asked to examine the course syllabus for potential conflicts at the start of the semester and promptly notify the instructor of any anticipated accommodation needs, providing as much notice as possible. If an instructor has asked that requests be made in a certain way (such as by e-mail), it is best to make the request in that manner; in any case, clearly specify the reason for the requested absence or other accommodation. Students are responsible for arranging in advance to make up missed work or material in a timely manner.”

4. Equivalencies of work

Make-up assignments must intrinsically be no more difficult than the original assignment, otherwise the practice is potentially discriminatory.

The environment where a student is making up an assignment should also be considered. When students are traveling for sanctioned events, they may not be housed in spaces suitable for the work needed to complete makeup assignments or may have access problems for online assignments that may cause undue stress for the both the student and the instructor expecting the work submission.

5. Dealing with the unusual cases

Students can experience catastrophes of all sorts that you may not anticipate and may struggle with how to manage absences for.

What [Student Affairs](#) does with emergencies – “When notified by the student of specific emergencies we send notification to the student’s instructors, academic advisor, and residence life staff via an email. We don’t provide a lot of detail in the email to protect student privacy, but just state that we have been notified of an emergency that will prevent the student from attending classes. We attach this document -

<https://www.ndsu.edu/fileadmin/enrollmentmanagement/Forms/absence.notification.for.faculty.pdf>”

Sometimes incomplete grades or retroactive withdrawals may be necessary.

- <https://bulletin.ndsu.edu/academic-policies/incomplete-grades/> and <https://www.ndsu.edu/fileadmin/policy/336.pdf>
- <https://www.ndsu.edu/fileadmin/registrar/forms/retroactivewithdraw.pdf>

When you can’t determine the best course of action, please call the Provost’s Office to help trouble-shoot. We are here to help.

Appendix A

Athletic Academic Protocol for missed assignments, quizzes and exams

Introduction

1. Student-athlete is required within the first 5 days of class to introduce themselves to the instructor and let them know that they are a student-athlete.
2. In the initial conversation the student-athlete needs to let the instructor know they will be missing some classes when they are traveling with the team. **At that time the student-athlete needs to ask if they will be willing to work with them to get assignments, quizzes and tests done before they leave or made up within 2 days of their return.** If the instructor wants the student-athlete to meet with them during their office hours to discuss the method in which they want them to make up the missed assignments, quiz or test the student needs to make sure they follow through with the request before leaving or when the professor wants to meet with them. **It is not the responsibility of the instructor to chase the student-athlete down to complete missed assignments, quizzes and exams.**
3. If the student-athlete knows how many days at the time of the conversation they need to let the instructor know the total days they will be absent. **The student-athlete is required to be in class if they are in town.**
4. As soon as the student-athlete receives the travel letter from the coach the student needs to provide it to the instructor. If the instructor does not want the letter, it is the responsibility of the student-athlete to remind the instructor when they will be traveling.

Missing assignments, quizzes and tests

1. The week of team travel the student-athlete should remind the instructor they will be indeed traveling and what assignments, quizzes and or exams they will be missing.
2. If they are missing an assignment, quiz or test during that time, ask if they can turn in the assignment early or take the quiz or test the day before departing.
3. If the instructor wants the quiz or exam proctor on the trip then the student-athlete will follow the following protocol. (Please note the Athletic Trainer who travels with the team will proctor the quiz or exam).
 - a. Ask the instructor if they would like to contact Athletic Academics to set-up the process or do they want Athletic Academics to contact the instructor.
 - b. Once contact between the instructor and Athletic Academics occur the following protocol is followed;
 - i. Athletic Academics will talk to the instructor and find out the procedures the instructor wants the student-athlete to follow while taking the quiz or exam.
 - ii. Athletic Academics will procure the quiz or exam in the method the instructor prefers, which can be a hard copy or email copy.
 - iii. Athletic Academics will make a copy of the quiz or exam, if emailed and seal it in an envelope with instructions on how to take the exam, duration and any material that will be allowed to be used during the quiz or exam.

- iv. There will also be another envelope in the initial packet that the proctor of the quiz or exam will seal the completed quiz or exam in and sign over the seal.
 - v. Once the team is back in town from the trip, Athletic Academics will obtain the sealed envelope from the proctor and deliver it to the instructor.
4. If the instructor prefers for Athletic Academics to proctor any quiz or test at the Athletic Academic Center in the SHAC prior to the student-athlete leaving or upon returning from travel the same protocol is used unless it is an online quiz or exam that will automatically be scored and returned to the instructor.
5. If the travel occurs during dead or finals week and the exam is the final, the Athletic Academic staff will travel with the team and proctor the exam.

Contacts for Athletic Academics:

Kelli Layman – Associate Director Athletic Academics

Kelli.Layman@ndsu.edu 231-5781 Oversees Football & Softball

Ashley Harris – Assistant Director Athletic Academics

Ashley.M.Harris@ndsu.edu 231-5556 Oversees MBB, Soccer, Men's Track and Volleyball

Chris Held – Interim Assistant Director Athletic Academics

Christopher.Held@ndsu.edu 231-5557 Oversees Baseball, WBB and Wrestling

Carter Kruckenberg – Athletic Academic/Student Development Coordinator

Carter.Kruckenberg@ndsu.edu 231-5499 Oversees M-Golf, W-Golf, Women's Track and assists with Football

Appendix B

January 8, 2018

Dear Instructor:

Please excuse the following student-athletes on the women's basketball team, from class on the following dates as they will be traveling with the team to participate in intercollegiate basketball games.

Emily Dietz	Marina Fernandez	Michelle Gaislerova
Anna Goodhope	Reilly Jacobson	Sarah Jacobson
Macey Kvilvang	Rylee Nudell	Autumn Ogden
Tyrah Spencer	Taylor Thunstedt	Danneka Voegeli

Wednesday, January 10
Thursday, January 11
Friday, January 12
Tuesday, January 23
Wednesday, January 24
Thursday, January 25
Friday, January 26
Thursday, February 1 – from 2:00 p.m. on for team shoot around
Thursday, February 8 – from 2:00 p.m. on for team shoot around
Wednesday, February 14
Thursday, February 15
Friday, February 16
Thursday, February 22 – from 2:00 p.m. on for team shoot around

Thank you for your cooperation in this matter.

Sincerely,



Todd Phelps
Deputy Director of Athletics



Maren Walseth
Head Women's Basketball Coach

Maren Walseth | Head Basketball Coach

NDSU Dept 1200 | PO Box 6050 | Fargo ND 58108-6050
Office: 701.231.6172 | Fax: 701.231.6246 | www.GoBison.com



NORTH DAKOTA STATE FOOTBALL

THE TRADITION CONTINUES



11/14/17

TEAM TRAVEL

The Bison football team will be traveling to Normal, Illinois on Friday, November 17. The following is a list of the travel squad. The students listed below will be absent from classes starting at 11:50 a.m.

Jalen Allison
Bruce Anderson
Luke Bacon
Eric Bachmeier
Chris Board
Marquise Bridges
Ty Brooks
Jaxon Brown
Caleb Butler
Desmond Cain
Colin Conner
Jabril Cox
Cole Davis
Niek DeLuca
Leo Dempsey
Ben Ellefson
Sean Engel
James Fisher
Tre Fort
Dallas Freeman
Robert Grimsley
Joshua Hayes
James Hendricks

Student Trainers
Mason Ankenbauer
Adam Estabrooks
Sami Fuhrmann
MacKenzie Kittelson
Natalie Steblay

Keenan Hodenfield
Jeff Illies
Nate Jenson
Zack Johnson
Stanley Jones
Cole Karcz
Darren Kelley
Ross Kennelly
Victor Kizewski
Jackson Koonce
Zach Kubas
Austin Kuhnert
Garrett Malstrom
Logan McCormick
Greg Menard
Aaron Mercadel
Bryce Messner
Grant Morgan
Erik Olson
Beau Pauly
Cam Pedersen
Matt Plank
Daniel Polansky

Equipment Personnel
Sam Clausen
Mo Ibrahim
Devin Klieman
Taylor Parker
Tran Zerface

Brock Robbins
Karson Schoening
Darrius Shepherd
Aaron Steidl
Easton Stick
Nathan Tanguay
Derrek Tuszka
Jarrod Tuszka
RJ Urzendowski
Henry Van Dellen
Cordell Volson
Tanner Volson
Connor Wentz
Blake Williams
Dimitri Williams
Seth Wilson
Jaylaan Wimbush
Zack Ziemer

To Be Determined:
Matt Anderson
Adam Cofield
Garret Wegner

Video Personnel
Andrew Moore
Aaron Sisk
Jacob Tepp

Thank you for your time and consideration in the above matter.


Chris Klieman
Head Football Coach


Mathew Larsen
Director of Athletics

January 1, 2018

Dear Instructor:

Please excuse Cameron Hunter, student-athlete for the men's basketball team, from class on the following dates as he will be traveling with the team when they participate in intercollegiate basketball games

Thursday, January 11 – from noon on for team shoot around
Tuesday, January 16 – from noon on for team shoot around
Friday, January 19
Thursday, January 25 – from noon on for team shoot around
Thursday, February 1
Friday, February 2
Wednesday, February 7
Thursday, February 8
Friday, February 9
Tuesday, February 13– from noon on for team shoot around
Wednesday, February 21
Thursday, February 22
Friday, February 23
Friday, March 2
Monday, March 5
Tuesday, March 6

Thank you for your cooperation in this matter.

Sincerely,



Matthew Larsen
Director of Athletics



David Richman
Head Men's Basketball Coach

UCC Response to Faculty Concerns from the April 9, 2018 Faculty Senate meeting regarding the changes to Policy 333 Class Attendance Policy

Updates:

- Student Government passed the latest revision on April 15, 2018
- Staff Senate passed the latest revision on April 4, 2018

Q – What was the reason for rewriting this policy?

A – About three years ago, two Faculty Senate standing committees started discussing the need to change this policy. One committee was University Athletics, who were concerned about mistreatment of student athletes. The other committee was the Academic Affairs committee, who recognized the need for change due to the NDSU Student Health Service's change regarding excuse letters - https://www.ndsu.edu/fileadmin/studenthealthservice/Forms/Faculty_Excuse_Letters.pdf.

Over the course of these discussions there also arose an opportunity to ensure that the policy was compliant with Title IX, including the federal mandate to excuse pregnant students who need medically necessary absences. The policy has been revised and thus far has failed to pass Faculty Senate approval three times, but still needs to be changed from the [current version](#) – see these Faculty Senate minutes:

- February 27, 2017 - https://www.ndsu.edu/fileadmin/facultysenate/minutes/Minutes_2016-2017b.pdf
- November 13, 2017 - https://www.ndsu.edu/fileadmin/facultysenate/201718/minutes/11_13_17_FS_Minutes.pdf
- April 9, 2018 - https://www.ndsu.edu/fileadmin/facultysenate/201718/minutes/04_09_18_FS_Minutes.pdf

The UCC has twice formed sub-committees of faculty and support staff to work on the revisions. The last sub-committee also included representatives of student government. Each time, the sub-committees have worked to address questions and concerns expressed at Faculty Senate and Student Government. The revisions were then discussed and approved at UCC prior to submission to the Senate Coordinating Committee.

It is essential the federal mandate components of the policy be approved to ensure compliance. Examples of non-compliance situations include not permitting medically necessary absences for pregnant students or supporting absences for requests to observe religious holidays. See [U.S. Department of Education's Office of Civil Rights information regarding Title IX pregnancy and parental protection for students](#).

Concern - Concerns from faculty saying that this policy protects student but not faculty.

Response – The policy attempts to clarify which absences must be approved by Faculty. It is recognized that Faculty may not always know how best to manage absences and/or may be concerned about the time and effort needed to manage make-up work. The current policy provides no protection to students who are absent from class due to legitimate reasons; the revised policy is intended to equalize responsibility on both sides. The guidance document is intended to help faculty manage absences, and if

that doesn't address the particular issue a faculty member may be facing, then a call to the Provost's Office should help resolve the situation.

Q - What's the limit on the number of excused absences?

A – For absences covered by this policy there would be no limit. If there is a student who is missing a significant number of class periods, it would be good practice to either express concerns directly to the student and/or advisor. The guidelines provide ways to accommodate students who are absent due to university-sponsored events, some of which require substantial travel.

Q - What other cases could an incomplete be used for missing classes?

A – No one document could encompass every scenario that Faculty may encounter. The guidance document attempts to offer some helpful information, and includes a prompt to call the Provost's Office if you don't know what to do. There is help available to figure out the solution. For questions specifically about incomplete grades, Registration and Records is also a resource.

Suggestion - It was suggested to balance student needs with instructor time and space to accommodate these requests.

Response – This is a bit vague. We absolutely recognize that large enrollment courses will have more management challenges. Again, if Faculty need help with figuring out how to manage absences, please consult the guidelines or call the Provost's Office for assistance. There will also be more Faculty resources available and professional development opportunities in the coming year.

Concern - It's possible that dept. policy might be in conflict with this policy.

Response – NDSU Policy overrides any department policy. The department policy would need to change.

Q - It was asked if these guidelines can be changed at any time by the Provost's office.

A – Yes, as the guidelines are not meant to be rules, but rather help for Faculty to determine how to handle excused student absences. It is intended to develop an FAQ section over time, and the next version may include some of the questions asked here. The document is meant to be helpful and adaptive.

Q - Do 'academic meetings' include meeting with a professor or an advisor?

A – No. Meetings with advisors or instructors would not fall under this policy. Instructors could determine if absences for those reasons are acceptable based on their own course policy.

Professor of Geology

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Academic Experience

-
- 2015 – Present Full Professor of Geology and Director of the Optical Dating and Dosimetry Laboratory, Department of Geosciences, North Dakota State University
- 2006 – Present Adjunct Professor, Department of Physics, North Dakota State University
- 2009 – 2015 Associate Professor of Geology and Director of the Optical Dating and Dosimetry Laboratory, Department of Geosciences, North Dakota State University
- 2003 – 2009 Assistant Professor of Geology and Founder of the Optical Dating and Dosimetry Laboratory, Department of Geosciences, North Dakota State University
- 2001 – 2003 Postdoctoral Fellow, Luminescence Geochronology Lab, Los Alamos National Laboratory, Sponsor: Dr. C. J. Wilson
- 1998 – 2001 Presidential Fellow and Graduate Research Assistant, Thermally and Optically Stimulated Phenomena Laboratory, Department of Physics Oklahoma State University, Research Advisor: Dr. S. W. S. McKeever
- 1995 – 1997 Graduate Research Assistant, Department of Materials Science and Engineering, Ohio State University, Research Advisor: Dr. D. A. Rigney
- 1992 – 1995 Undergraduate Research Assistant, Luminescence Dating Research Laboratory, Byrd Polar Research Center, Ohio State University, Research Advisor: Dr. S. L. Forman

Education

-
- 2001 Ph.D. Environmental Science with a research concentration in Physics, Oklahoma State University, Stillwater, OK. Coursework emphasis: Geomorphology, Environmental Geology, Soil Genesis
- 1997 M.S. Materials Science and Engineering, Ohio State University, Columbus, OH. Coursework emphasis: Materials Characterization / Electron Microscopy (SEM/EDS, TEM, XRD); Materials Structure (Crystallography)
- 1995 B.S. *Summa cum Laude with distinction in the Geological Sciences*, Ohio State University, Columbus, OH. Coursework emphasis: Quaternary Geology

Dissertation and Theses

-
- Dissertation Development of an Objective Dose Distribution Analysis Method for OSL Dating and Pilot Studies for Planetary Applications. Oklahoma State University, 2001.
- Masters Thesis Sliding Friction, Wear, and Microstructural Evolution of Selected Al-based Bearing Alloys. Ohio State University, 1997.
- Honors Thesis The Effect of Turbidity on the Solar Resetting of the Luminescence Signal: Implications for Luminescence Geochronology. Ohio State University, 1995.

Publications

Student authors/coauthors mentored by Lepper are indicated with: ** for undergraduates and † for graduate students

Published Peer Reviewed Journal Papers

- Schaetzl, R.J., Lepper, K., Thomas, S., Grove, L., Treiber, E., Farmer, A., Fillmore, A., Lee, J., Dickerson, B., and **Alme, K. (2017) Kame Deltas Provide Evidence for a New Glacial Lake and Suggest Early Glacial Retreat from Central Lower Michigan, USA. *Geomorphology*, 280:167-178.^[45]
- Argyilan, E., Lepper, K., and Thompson, T. (2014) Analysis of intra-dune variability of optical ages yields a refined chronology of late Holocene coastal development along the southern shore of Lake Michigan, *In* Fisher, T. G., and Hansen, E. C., *Eds.*, *Coastline and Dune Evolution along the Great Lakes: Geological Society of America Special Paper 508*, p. 31-46.^[44]
- Thompson, T., Johnson, J., and Lepper, K. (2014) The elevation of the peak Nipissing phase at outlets of the upper Great Lakes, *In* Fisher, T. G., and Hansen, E. C., *Eds.*, *Coastline and Dune Evolution along the Great Lakes: Geological Society of America Special Paper 508*, p. 15-29.^[43]
- Liu, X., Fisher, T.G., Lepper, K., and Lowell, T.V., (2014) Geochemical Characteristics of Glacial Lake Agassiz Sediments, Fargo, ND and New Ages for the Moorhead Phase: *Canadian Journal of Earth Sciences*, v. 51, p. 850-861.^[42]
- Higley, M., Fisher, T.G., Jol, H., Lepper, K., and Martin-Hayden, J., (2014) Stratigraphic analysis of the Warren Beach, Northwest Ohio, USA. *Canadian Journal of Earth Sciences*, v. 51, p. 737-749.^[41]
- Lepper, K. †Buell, A., Fisher, T., and Lowell, T. (2013) A chronology for glacial Lake Agassiz shorelines along Upham's namesake transect. *Quaternary Research*, 80: 88-98.^[40]
- Lowell, T., Applegate, P., Fisher, T., and Lepper, K. (2013) What caused the low-water phase of glacial Lake Agassiz? *Quaternary Research*, 80: 370-382.^[39]
- Johnson, J., Argyilan, E., Thompson, T., Baedke, S., Lepper, K., Forman, S. and Wilcox, D. (2012) A Sault-Outlet-Referenced Mid-to Late-Holocene Paleohydrograph for Lake Superior constructed from strandplains of beach ridges. *Canadian Journal of Earth Sciences*, 49: 1263-1279.^[38]
- Lepper, K., **Gorz, K., Fisher, T. and Lowell, T. (2011) Age Determinations for Lake Agassiz Shorelines West of Fargo, North Dakota, U.S.A. *Canadian Journal of Earth Sciences*, 48: 1199-1207.^[36]
- Lepper, K., Crowell, K., and Wilson, C. (2011) Chronology and eolian influence on colluvial apron deposition within Cañada del Buey, Pajarito Plateau, New Mexico, USA. *New Mexico Geology*, 33(1): 3-8.^[35]
- Thompson, T., Lepper, K., Enders, A., Johnson, J., Baedke, S., Argyilan, E., Booth, R., Wilcox, D. (2011) The Nipissing phase of the upper Great Lakes at Alpena, Michigan. *Journal of Great Lakes Research*, 37: 567-576.^[34]
- †O'Connor, V.A., Lepper, K., **Morken, T.O., **Thorstad, D., **Podoll, A., and †Giles, M.J. (2011) A survey of the signal stability and radiation dose response of sulfates in the context of adapting optical dating for Mars. *Journal of Luminescence*, 131: 2762-2768.^[33]
- **Breiland, A. and Lepper, K. (2011) Re-examination of the geological context and age of the Walhalla, North Dakota Mammoth. *Current Research in the Pleistocene*, 28: 15-17.^[32]
- Lepper, K. and **Sager, L. (2010) A revised age determination for the Embden, North Dakota mammoth using optically stimulated luminescence dating. *Current Research in the Pleistocene*, 27: 171-173.^[31]
- Lepper, K. (2009) The effect of evaporated salt solutions on the optical dating properties of JSC Mars-1: "Seasoning" for a Mars soil simulant. *Astrobiology*, 9(6): 531-534.^[30]
- Fuller, T.K., Staiger, J.W., Perg, L.A. and Lepper, K. (2009) Field evidence for climate-driven changes in sediment supply leading to strath terrace formation. *Geology*, 37: 467-470.^[29]
- †Detschel, M.J. and Lepper, K. (2009) Optically stimulated luminescence dating properties of Martian sediment analogue materials exposed to a simulated Martian solar spectral environment. *Journal of Luminescence*, 129: 393-400.^[28]
- Fisher, T., Yansa, C., Lowell, T., Lepper, K., Hajdas, I., and Ashworth, A. (2008) The chronology, climate, and confusion of the Moorhead Phase of Glacial Lake Agassiz: New Results from the Ojata beach, North Dakota, USA. *Quaternary Science Reviews*, 27: 1124-1335.^[27]

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- Lepper, K., Reneau, S., **Thorstad, J., and Denton A. (2007) OSL dating of a lacustrine to fluvial transitional sediment sequence in Valle Toledo, Valles caldera, New Mexico. *New Mexico Geology*, 29(4): 112-116.^[25]
- Lepper, K. and Goff, F. (2007) Yet another attempt to date the Banco Bonito rhyolite, the youngest volcanic flow in the Valles Caldera, New Mexico. *New Mexico Geology*, 29(4): 117-121.^[24]
- Lepper, K. and Ashworth, A.C. (2007) A dynamic record of late Holocene environmental change recorded in banded colluvium from the northern Great Plains. *Current Research in the Pleistocene*, 24:201-204.^[23]
- Lepper, K. and Scott, G.F. (2005) Late Holocene aeolian activity in the Cimarron River Valley of West-central Oklahoma. *Geomorphology*, 70: 42-52.^[22]
- Rowland, J.C., Lepper, K., Dietrich, W.E., Wilson, C.J., and †Sheldon, R. (2005) Tie channel sedimentation rates oxbow formation age, and channel migration rate from Optically Stimulated Luminescence (OSL) analysis of floodplain deposits. *Earth Surface Processes and Landforms*, 30: 1161-1179.^[21]
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- Lepper, K., Carter, B.J., and McKeever, S.W.S. (2003) An OSL evaluation of the depositional chronology of the Cow Creek floodplain: Payne Co. Oklahoma. *Current Research in the Pleistocene*, 20: 123-126.^[18]
- Lepper, K., Wilson, C., Gardner, J., Reneau, S. and Levine, A. (2003) Comparison of SAR techniques for luminescence dating of sediments derived from volcanic tuff. *Quaternary Science Reviews*, 22:1131-1138.^[17]
- McKeever, S.W.S, et al. including Lepper, K. (2003) Concepts and approaches for in-situ luminescence dating of Martian sediments. *Radiation Measurements*, 37:527-534.^[16]
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- Clifford S., et al. including Lepper, K. (2000) The State and Future of Mars Polar Science and Exploration. *Icarus*, 144:210-242.^[7]
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Lepper, K. (2002) A question of protocol. *Radiation Measurements*, 39(3): 169-170.

Refereed Book Chapter

Forman, S. L., Pierson, J. and Lepper, K. (2000) Luminescence Geochronology. *In* Quaternary Geochronology: Methods and Applications, eds.: Sowers, J. M., Noller, J. S. and Lettis, W. R., American Geophysical Union, Reference Shelf 4: 157-176.^[6]

Field Guide

Fisher, T.G., Lepper, K., Ashworth, A.C., Hobbs, H. (2011) Southern outlet and basin of Glacial Lake Agassiz, in Miller, J.D., Hudak, G.J., Wittkop, C., and McLaughlin, P.I., eds., *Archean to Anthropocene: Field guides to the geology of the mid-continent of North America: Geological Society of America Field Guide*, 24, p. 379-400.^[37]

Reports / Government Documents

Gardner, J.N., Reneau, S.L., Lavine, A., Lewis, C.J., Katzman, D., McDonald, E.V., Wilson, J., Goodwin, L., Kelson, K.I., Lepper, K., and Wilson, C. (2003) Paleoseismic trenching in the Guaje Mountain fault zone, Pajarito fault system, Rio Grande rift, New Mexico. Los Alamos National Laboratory Report, LA-14087-MS.^[19]

Forman, S.L., Pierson, J., and Lepper, K. (1998) Luminescence Geochronology. *In* Dating and Earthquakes: Review of Quaternary Geochronology and its Application to Paleoseismology, eds. Sowers, J.M., Noller, J.S., and Lettis, W.R., U.S. Government Printing Office: Washington DC, NUREG-5562.^[5]

Abstracts

109 Published conference abstracts. Past five years listed for brevity. A full list is available upon request.

1. Lepper, K., 2017. Getting back to basics: Reaffirming two important theoretical underpinnings relevant to OSL data analysis. GSA Abstracts with Programs. Vol. 49, No. 6, doi: 10.1130/abs/2017AM-303385.
2. Lepper, K., 2017. CHRONOQUEST: A team-based, student-managed authentic geochronology research course. GSA Abstracts with Programs. Vol. 49, No. 6, doi: 10.1130/abs/2017AM-303400.
3. Olson, T., Fischer, J, Clark, L., Gibbs Schnucker, S., Marston, H., and Lepper, K., 2017. Dating the latest Tintah shoreline of Lake Agassiz in northern Minnesota: Adding to the geochronologic puzzle. GSA Abstracts with Programs. Vol. 49, No. 6, doi: 10.1130/abs/2017AM-303239.
4. Olson, T., Gibbs Schnucker, S., Marston, H., Fischer, J, Clark, L. and Lepper, K., 2017. CHRONOQUEST: Our adventures in a team-based, student-managed authentic geochronology research course. GSA Abstracts with Programs. Vol. 49, No. 6, doi: 10.1130/abs/2017AM-303299.
5. Kasmerchak, C., Schaetzl, R. and Lepper, K., 2017. Introducing Glacial Lake Roscommon, central lower Michigan, USA. GSA Abstracts with Programs, Vol. 49, No. 6, doi: 10.1130/abs/2017AM-303067.
6. Johnston, J.W., Argyilan, E.P., Baedke, S.J., Morrison, S., Loope, H.M., Lepper, K., Thompson, T.A. and Wilcox, D.A., 2017. Interpreting paleohydrographic data reconstructed from strandplains of beach ridges in the Laurentian Great Lakes. GSA Abstracts with Programs, Vol. 49, No. 6, doi: 10.1130/abs/2017AM-307880.
7. Johnston, J.W., Morrison, S., Argyilan, E.P., Thompson, T.A., Lepper, K., Baedke, S.J., and Wilcox, D.A., 2017. Most of the modern-day coastal zone in the upper Great Lakes was established many millennia ago during the Nipissing phase. GAC/MAC annual conference abstracts, Kingston, ON.

8. Morrison, S., Johnston, J.W., Lepper, K., Jol, H. and Zamperoni, A. 2017. Past Great Lakes water level fluctuations elucidated by the sediments of the Ipperwash strandplain, southern Lake Huron. GAC/MAC annual conference abstracts, Kingston, ON.
9. Lepper, K., Argyilan, E., and Fisher T. 2017. Pushing the limits of OSL application to Great Lakes costal deposits: How young and how small? GSA Abstracts with Programs, Vol. 49, No. 2, doi: 10.1130/abs/2017NE-291582.
10. Dilworth, J., Krantz, D., Fisher, T., and Lepper, K. 2017. Analysis and chronology of Glacial Lake Arkona in the western Lake Erie basin, USA. GSA Abstracts with Programs, Vol. 49, No. 2, doi: 10.1130/abs/2017NE-291041.
11. Morrison, S., Zamperoni, A., Garcia, C., Jol, H., Johnston, J. and Lepper, K., 2017. Quantifying natural lake level fluctuations for the Ipperwash Strandplain, Lake Huron: Examining the connection between the upper and lower Great Lakes. Vol. 49, No. 2, doi: 10.1130/abs/2017NE-290663.
12. Zamperoni, A., Johnston, J., Wolfe, B., Hall, R., Lepper, K., Jol, H., Endres, T. and Duguay, C., 2017. Characterizing relict shorelines to establish the most detailed account of lake-levels in the Peace Athabasca delta: A key hydrologic node of the Mackenzie River basin, northwestern Canada. Vol. 49, No. 2, doi: 10.1130/abs/2017NE-290049.
13. Murphy, J., and Lepper K., 2017. Benefits of integrated Writing Across the Disciplines pedagogy in a mid-level Geomorphology course. Abstracts, 31st Annual National Conference on Undergraduate Research, Memphis, TN.
14. Lepper, K., and Murphy, J. 2016. Adapting legacy Geomorphology lab exercises to host embedded disciplinary writing assignments. GSA Abstracts with Programs, Vol. 48, No. 7, doi: 10.1130/abs/2016AM-278146.
15. Murphy, J., and Lepper K., 2016. Benefits of integrated Writing Across the Disciplines pedagogy in a mid-level Geomorphology course. GSA Abstracts with Programs, Vol. 48, No. 7, doi: 10.1130/abs/2016AM-278584.
16. Alme, K., Lepper, K., Towell, A. and Fisher, T. 2016. OSL evaluation of dune-sourced sand lenses from Gilligan Lake, Michigan, USA. GSA Abstracts with Programs, Vol. 48, No. 7, doi: 10.1130/abs/2016AM-285997.
17. Lowell, T.V., Fisher, T.G., Lepper, K., 2016. Lake Agassiz is a conundrum - should the chronology be likewise?: GSA Abstracts with Programs, Vol. 48, No. 5, doi: 10.1130/abs/2016NC -275361.
18. Johnston, J.W., Lepper, K., Argyilan, E.P., Loope, H.M., and Thompson, T.A., 2016. What is the rate of glacial isostatic adjustment between basins of the upper Great Lakes (Superior, Michigan, Huron)?: GSA Abstracts with Programs, Vol. 48, No. 5, doi: 10.1130/abs/2016NC-275655.
19. Johnston, J.W., Thompson, T.A., Baedke, S.J., Argyilan, E.P., Lepper, K., Loope, H.M., Morrison, S., Wilcox, D.A., 2016. Unraveling the natural rhythm of the Upper Great Lakes preserved in ancient shorelines: International Association for Great Lakes Research 59th Annual Conference, Abstracts with Program, Guelph, Ontario, Canada.
20. Lepper, K., Lewis, A., Zamora, F., Ramsey, M., Kowalewski, D., Willenbring, J., 2015. Novel adaptations of OSL dating procedures reveal episodic deposition on high elevation Antarctic fan: Geological Society of America Abstracts with Programs, v. 47, no. 7, p. 76.
21. Nitschke, J., Lepper, K., Johnston, J., Thompson, T., and Loope, H. 2015. OSL dating of a strandplain sequence in the Pine River Embayment of Lake Superior along the Upper Peninsula of Michigan: Geological Society of America Abstracts with Programs, v. 47, no. 7, p. 548.
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23. Kowalewski, D.E., Lewis, A.R, Lepper, K., Willenbring, J., Zamora, F., Valletta, R., Johnson, J., 2015. Orbital forcing of high elevation meltwater events along the periphery of East Antarctica: Eos Transactions, AGU Fall Meeting Supplement.
24. Lepper, K., Fisher, T., and Lowell, T., 2015. Water storage changes in Glacial Lake Agassiz, when, where, how; but mostly when: Canadian Quaternary Association (CANQUA) 2015 Abstracts (*digital only, no printed volume*).
25. Johnston, J.W., Lepper, K., Argyilan, E.P., Wilcox, D.A., Baedke, S.J., and Thompson, T.A., 2015. Closing the gap between the geologic and historical records in the Laurentian Great Lakes by providing the most detailed account of paleo lake level, ranging from decades to five millennia: Joint Assembly Meeting – AGU, CGU, GAC, and MAC, Abstracts with Program.

26. Lowell, T., Lepper, K., Fisher, T., Ward, D, Heath, S, and Breckenridge, A., 2015. Assessment of drainage pathways from Glacial Lake Agassiz: Geological Society of America Abstracts with Programs, v. 47, no. 5, p. 21.
27. Johnston, J., Loope, H., Lepper, K. and Thompson, T., 2015. Analysis of middle Holocene (ca. 6000 to 4500 years ago) lake-level change of ancestral Lake Superior at the Huron Mountains, Upper Michigan: Geological Society of America Abstracts with Programs, v. 47, no. 5, p.5.
28. Horton, J., Fisher, T., Karaffa, M., Loope, H., Lepper, K., 2015. Deglacial chronology of the Sturgis Moraine in South-central Michigan and Northeast Indiana: Geological Society of America Abstracts with Programs, v. 47, no. 5, p. 3.
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31. Lepper, K., Ramsey, M., Zamora, R., and Lewis, A., 2014. OSL dating of high elevation fan deposits in the Antarctic Dry Valleys: Analytical methods: Geological Society of America Abstracts with Programs, v. 46, no. 6, p.185.
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33. Kowalewski, D., Lewis, A., and Lepper, K. 2014. Possible triggers for Holocene meltwater production at high elevation alluvial fans in the Dry Valleys, East Antarctica: Geological Society of America Abstracts with Programs, v. 46, no. 6, p.185.
34. Jacobs, C., Lepper, K. and Strelin, J., 2014. OSL dating of shoreline deposits of Laguna Cari-Laufquen Grande, Argentina: Geological Society of America Abstracts with Programs, v. 46, no. 6, p.148.
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36. Ramsey, M.A., Zamora, F.J., Lepper, K., and Lewis, A.R., 2013. OSL dating of high-elevation fan deposits in the Antarctic Dry Valleys: Field sampling, laboratory processing, and preliminary data: Geological Society of America Abstracts with Programs, v. 45, no. 7, p. 118.
37. Zamora, F.J., Lewis, A.R., Lepper, K., and Ramsey, M.A., 2013. Alluvial fans in the McMurdo Dry Valleys: A proxy for melting along terrestrial margins of the East Antarctic ice sheet: Geological Society of America Abstracts with Programs, v. 45, no. 7, p. 412.
38. Lepper, K., Lorenz, K.M., and Argyilan, E.P., 2013. An evaluation of SAR data-collection variations and data-analysis approaches for dating modern sediments with OSL: 9th New World Luminescence Dating Workshop Abstract Volume, p. 22. *[abstract only]*
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40. Lepper, K., Fisher, T.G. and Lowell, T.V., 2013. Age constraints for an updated Lake Agassiz paleohydrograph: Geological Society of America Abstracts with Programs, v. 45, no. 4, p. 3.
41. Fisher, T.G., Blockland, J., Higley, M., Anderson, B., Goble, R.J., and Lepper, K., 2013. Recent stratigraphic and chronologic results from the Huron-Erie lake plain of ancestral Lake Erie, Ohio: Geological Society of America Abstracts with Programs, v. 45, no. 4, p. 3.
42. Liu, X., Fisher, T.G., Lepper, K., and Lowell, T.V., 2013. Using lacustrine sediment to test the evaporation hypothesis for the Moorhead low water phase of Lake Agassiz: Geological Society of America Abstracts with Programs, v. 45, no. 4, p. 53.
43. Thompson, T.A., Johnston, J.W., and Lepper, K., 2013. The elevation of the peak Nipissing phase (mid Holocene) at outlets of the upper Great Lakes: Geological Society of America Abstracts with Programs, v. 45, no. 4, p. 55.
44. Johnston, J.W., Argyilan, E.P., Thompson, T.A., Lepper, K., Baedke, S.J., and Wilcox, D.A., 2013. A Sault-outlet-referenced mid- to late-Holocene paleohydrograph for Lake Superior constructed from strandplains of beach ridges: Geological Society of America Abstracts with Programs, v. 45, no. 4, p. 56.

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46. Fisher, T., Lepper, K., and Lowell, T., 2012. Meltwater storage in Lake Agassiz; Volume, delivery, and timing: Geological Society of America Abstracts with Programs, v. 44, no. 7, p. 454.
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48. Argyilan, E., Lepper, K., Thompson, T. and **Grabos, N., 2012. Late Holocene coastal development along the southern shore of Lake Michigan determined from eolian and palustrine deposits of the Tolleston beach: Geological Society of America Abstracts with Programs, v. 44, no. 7, p. 44.
49. **Grabos, N., Argyilan, E., Thompson, T. 2012. Examining concepts related to parabolic dune development in stabilized dunes along the southern coast of Lake Michigan using geomorphology, optical stimulated luminescence (OSL) and particle size analysis (PSA): Geological Society of America Abstracts with Programs, v. 44, no. 7, p. 107.
50. †Zamora, F. Lewis, A., and Lepper, K., 2012. Activation of high elevation alluvial fans in the Transantarctic Mountains – a proxy for warmth along East Antarctic ice margins: American Geophysical Union Fall 2012 Meeting Abstracts.
51. Lepper, K., 2012. Lake Agassiz beach mammoths: New dates for some old beach bums: Geological Society of America Abstracts with Programs, v. 44, no. 5, p. 11.
52. **Moxness, L. and Lepper, K., 2012. OSL dating and sedimentological analysis of Pre-Herman glacial lake strandlines near Milnor, North Dakota: Geological Society of America Abstracts with Programs, v. 44, no. 5, p. 11.
53. Lowell, T.V., Fisher, T.G., Applegate, P.J., and Lepper, K., 2012. Can evaporation match meltwater input?: A story to be told from the Lake Agassiz basin: American Quaternary Association Program and Abstracts of the 22nd Biennial Meeting.

Presentations

Presentations by Lepper:

59 professional and public presentations. Past five years listed for brevity. A full list is available upon request.

1. Getting back to basics: Reaffirming two important theoretical underpinnings relevant to OSL data analysis. Geological Society of America Annual Meeting, Seattle, WA, October 2017.
2. CHRONOQUEST: A team-based, student-managed authentic geochronology research course. Geological Society of America Annual Meeting, Seattle, WA, October 2017.
3. Adapting legacy Geomorphology lab exercises to host embedded disciplinary writing assignments. Geological Society of America Annual Meeting, Denver, CO, September 2016.
4. Novel adaptations of OSL dating procedures reveal episodic deposition on high elevation Antarctic fans. Geological Society of America Annual Meeting, Baltimore, MD, November 2015.
5. Water storage changes in Glacial Lake Agassiz, when, where, how; but mostly when. Canadian Quaternary Association (CANQUA) Annual Meeting, St. John, Newfoundland, August 2015.
6. OSL dating of high elevation fan deposits in the Antarctic Dry Valleys: Analytical methods. Geological Society of America National Meeting, Vancouver, BC, October 2014.
7. A complex deglacial history spanning up to 55,000 years glimpsed in eastern Sargent County, North Dakota. Geological Society of America Central Section Meeting. Lincoln, NE, April 2014.
Was unable to travel for much of 2013.
8. Analysis of intra-dune variability of optical ages in late Holocene coastal dunes along the southern shore of Lake Michigan. Geological Society of America Annual National Meeting, Charlotte, NC, November 2012.
9. Lake Agassiz beach mammoths: New dates for some old beach bums. Geological Society of America Central Section Meeting. Dayton, OH, April 2012.

Presentations by Undergraduate Students - Lepper as Mentor:

1. Fischer, J, Olson, T., Clark, L., Gibbs Schnucker, S., Marston, H., and Lepper, K., Dating the latest Tintah shoreline of Lake Agassiz in northern Minnesota: Adding to the geochronologic puzzle (poster). Geological Society of America Annual Meeting, Seattle, WA, October 2017.
2. Fischer, J, Gibbs Schnucker, S., and Lepper, K., Dating the latest Tintah shoreline of Lake Agassiz in northern Minnesota: Adding to the geochronologic puzzle (poster). NDSU EXPLORE Undergraduate Research Symposium, November 2017.
3. Olson, T., Gibbs Schnucker, S., Marston, H., Fischer, J, Clark, L. and Lepper, K., CHRONOQUEST: Our adventures in a team-based, student-managed authentic geochronology research course (poster). Geological Society of America Annual Meeting, Seattle, WA, October 2017.
4. Marston, H., Clark, L. and Lepper, K., CHRONOQUEST: Our adventures in a team-based, student-managed authentic geochronology research course (poster). NDSU EXPLORE Undergraduate Research Symposium, November 2017.
5. Olsen, T. and Lepper, K. CHRONOQUEST: Locating sample sites on the poorly expressed Tintah of Lake Agassiz using an integrative data framework (poster). NDSU EXPLORE Undergraduate Research Symposium, November 2017.
6. Olsen, T. and Lepper, K. CHRONOQUEST: Locating sample sites on the poorly expressed Tintah of Lake Agassiz using an integrative data framework (poster). NDSU CSM Summer Undergraduate Research Symposium, August 2017.
7. Murphy, J. and Lepper, K., Benefits of integrated Writing Across the Disciplines pedagogy in a mid-level Geomorphology course (poster). NDSU EXPLORE Undergraduate Research Symposium, November 2016.
8. Murphy, J. and Lepper, K., Benefits of integrated Writing Across the Disciplines pedagogy in a mid-level Geomorphology course (poster). Geological Society of America Annual Meeting, Denver, CO, September 2016.
9. Murphy, J. and Lepper, K., Benefits of integrated Writing Across the Disciplines pedagogy in a mid-level Geomorphology course (poster). NDSU CSM Summer Undergraduate Research Symposium, August 2016.
10. Alme, K., Lepper, K., Towell, A., and Fisher, T., OSL evaluation of dune-sourced sand lenses from Gilligan Lake, Michigan, USA (poster). NDSU EXPLORE Undergraduate Research Symposium, November 2016.
11. Alme, K., Lepper, K., Towell, A., and Fisher, T. OSL evaluation of dune-sourced sand lenses from Gilligan Lake, Michigan, USA (poster). Geological Society of America Annual Meeting, Denver, CO, September 2016.
12. Nitschke, J., Lepper, K., Johnston, J., Thompson, T., and Loope, H., OSL dating of a strandplain sequence in the Pine River Embayment of Lake Superior along the Upper Peninsula of Michigan (poster). Geological Society of America Annual Meeting, Baltimore, MD, November 2015.
13. Ternes, S., and Lepper, K., Optical dating equivalent dose distributions across grain size fractions: a detailed analysis of an Antarctic fan sample (poster). Geological Society of America Annual Meeting, Baltimore, MD, November 2015.
14. Jacobs, C., Lepper, K. and Strelin, J., OSL dating of shoreline deposits of Laguna Cari-Laufquen Grande, Argentina (poster). Geological Society of America National Meeting, Vancouver, BC, October 2014.
15. Moxness, L. and Lepper, K. OSL dating and sedimentological analysis of Pre-Herman glacial lake strandlines near Milnor, North Dakota (poster). Geological Society of America Central Section Meeting. Dayton, OH, April 2012.
16. Breiland, A. and Lepper, K. New insights into the age and geological context of the Walhalla, North Dakota mammoth (poster). Geological Society of America Annual National Meeting, Denver, CO, October 2010.
17. Fielding, J.D.W. and Lepper, K. Occurrence and age of packrat middens from western North Dakota (Oral). Geological Society of America Annual National Meeting. Portland, OR, October 2009.
18. Gorz A.J. and Lepper, K. OSL dating properties of Mg-carbonate: A recently discovered mineral in Martian sediments (poster). Geological Society of America Annual National Meeting. Portland, OR, October 2009.
19. Gorz, K.L., and Lepper, K. OSL dating of glacial Lake Agassiz strandlines in western Cass County, North Dakota (Oral). Annual Meeting of Geological Society of America, Evansville, IN, April 2008.
20. Thorstad, D. and Lepper, K. A comparison of the basic optical dating properties of two natural gypsum samples as analogs for component minerals in Mars surface sediments (poster). Annual Meeting of Geological Society of America, Denver, CO, October 2007.
21. Morken, T. and Lepper, K. Optical Dating Properties of Thenardite (Na_2SO_4): A potential sulfur source mineral in Martian sediments (poster). Annual Meeting of Geological Society of America, Philadelphia, PA, October 2006.

22. Podoll, A. and Lepper, K. The optical dating properties of Kieserite: An important accessory mineral in Martian sediments (poster). Annual Meeting of the Geological Society of America, Salt Lake City, UT, October 2005.
23. Franklund, R. and Lepper, K. Maximum Age Predictions for Optical Dating on Mars Based on Dose/Depth Models and Martian Meteorite Compositions (poster). Fall Meeting of the American Geophysical Union, San Francisco, CA, December 2004.
24. Thorstad, J., Lepper, K., and Reneau, S. OSL dating of lacustrine deposition in Valle Toledo; New Mexico (poster). Annual Meeting of the Geological Society of America, Denver, CO, November 2004.

Presentations by Graduate Students - Lepper as Research Advisor:

1. Ramsey, M., Lepper, K., †Zamora, F.J., and Lewis, A.R. OSL dating of high elevation fan deposits in the Antarctic Dry Valleys: Current results. Geological Society of America, National Meeting, Vancouver, BC, October 2014.
2. Ramsey, M.A., †Zamora, F.J., Lepper, K., and Lewis, A.R. OSL dating of high-elevation fan deposits in the Antarctic Dry Valleys: Field sampling, laboratory processing, and preliminary data. Annual Meeting of the Geological Society of America, Denver, CO, October 2013.
3. Detschel, M.J. and Lepper, K. The OSL dating behavior of Martian sediment analogue materials exposed to a simulated Martian solar spectrum. American Physical Society National Meeting, Pittsburgh, PA, March 2009.
4. Detschel, M. and Lepper, K. The role of ultraviolet light as an ionizing radiation source in the development of in-situ optical dating techniques for Mars. 39th Lunar and Planetary Sciences Conference, Houston, TX, March 2008.
5. O'Connor, V. and Lepper, K. Optical dating properties of calcium and magnesium sulfates: Important components of Mars surface sediments. 39th Lunar and Planetary Sciences Conference, Houston, TX, March 2008.
6. O'Connor, V. and Lepper, K. Optically stimulated luminescence dating properties of gypsum and anhydrite: potentially important geochronometric minerals in Martian sediments. Annual Meeting of Geological Society of America, Denver, CO, October 2007.

Grantsmanship

Funded Grants / Awards / Contracts

Over \$700,000 USD awarded. Only funded and pending grants are listed for brevity.

- Schaetzl, R., Lepper, K., Yansa, C., Lowell, T., Curry B. (Co-PI's), Paleoenvironmental Implications of the Oldest MIS-2 Lake in Glaciated North America: Intraglacial Lake Roscommon. NSF Geography and Spatial Sciences (*Submitted Sept. 2017: \$349k/3yrs; NDSU request \$39.5k; pending*)
- Lewis, A., Lepper, K. (Co-PI's), Collaborative Research: Activation of high-elevation alluvial fans in the Transantarctic Mountains - a proxy for Plio-Pleistocene warmth along East Antarctic ice margins. NSF, Antarctic Earth Science Program, Co-I's: Willenbring, J. and DeConto, R. (*NDSU request: \$180.1k/3yr; funded; term 8/01/11-7/31/14, no cost extension to 6/30/15*).
- Lepper, K., Developing a direct depositional chronology for the shores of glacial Lake Agassiz using optically stimulated luminescence dating. Comer Science and Education Foundation (*\$50k/2yr; funded; term 5/15/07-5/15/09*).
- Lepper, K., The optical dating response of Mars sediment analogs including geologic salts to simultaneous UV/VIS irradiation. NASA Office of Space Sciences, Mars Fundamental Research Program (*\$132k/2yr; funded; term 5/10/06-5/09/08+1 yr extension*).
- Lepper, K., Optically stimulated luminescence dating of Lake Huron beach ridges. Cooperative agreement with the U.S. Geologic Survey, Great Lakes Science Center (*\$35.3k; funded; term 8/15/05-8/14/09; modified in 2007 to a total of \$61.2k*).
- Lepper, K., Fence row dunes as archives of eolian soil erosion rates in west Texas and eastern New Mexico. Gladys W. Cole Memorial Research Award for drylands research from the Quaternary Geology and Geomorphology section of the Geological Society of America (*\$7.6k; funded; term 10/16/05-10/15/06*).

- Lepper, K., Martian Seminar Exchange. Grant from the North Dakota NASA EPSCoR office (\$2.6k; funded; term 1/01/05-6/30/05).
- Lepper, K., Geochronologic support for the evaluation of long-term erosion rates at LANL Area G. Subcontract to Los Alamos National Laboratory / DOE (\$15k; funded; term 9/01/04-7/31/05).
- Lepper, K. and Wilson C.J., Sponsorship for the 2nd North American Luminescence Dating Workshop in Northern New Mexico. Los Alamos National Laboratory (DOE), Capital Equipment Reinvestment Program (\$50k; funded; term – 2004 single expenditure).
- Wilson, C.J. and Lepper, K., Proposal for an integrated OSL reader. Los Alamos National Laboratory (DOE), Capital Equipment Reinvestment Program (\$95k; funded; term – 2002 single expenditure).

Teaching Experience

Articulation of Teaching Philosophy

“By personal example and through opportunities to participate in the process of scientific inquiry, I strive to encourage students to explore and foster their own curiosity and sense of wonder in the natural world: to rise above being taught and become active learners.”

Classroom Teaching

Current Course Responsibilities:

- Physical Geology, GEOL105; enrollment 500+ students
- Hydrogeology, GEOL414/614; combined undergraduate and graduate course, enrollment 12-20
- Geomorphology, GEOL412/612; combined undergraduate and graduate course, enrollment 12-25
- Geosciences Seminar, GEOL491; Jr./Sr. level capstone course to develop presentations skills and demonstrate integration of knowledge across the curriculum, enrollment 5-20
- Team-based Undergraduate Research, CHRONOQUEST, GEOL493, enrollment 4-6

I have had the privilege of instructing the following courses at North Dakota State University:

- Physical Geology, GEOL105; enrollment 500+ students
- Planetary Geology, GEOL310; enrollment 15-20 students
- Glacial Geology, GEOL413/613; combined undergraduate and graduate course, enrollment 12-20
- Hydrogeology, GEOL414/614; combined undergraduate and graduate course, enrollment 12-25
- Geomorphology, GEOL412/612; combined undergraduate and graduate course, enrollment 15-30
- Geosciences Seminar, GEOL491; Jr./Sr. level course to develop presentations skills, enrollment 5-20
- Team-based Undergraduate Research, GEOL493
- IS: Laboratory Methods in Quaternary Geochronology, GEOL494
- IS: Quaternary Research, GEOL494
- IS: Geosciences Communication, GEOL494
- IS: Geology Writing Analysis, GEOL494
- IS: Techniques in Optical Dating, GEOL793
- IS: Planetary Geology, GEOL793

Research-teaching

I began my research career as an undergraduate student. It was the most formative experience in my professional life. Involvement in research ignited a fire of curiosity in me that cascaded through my entire educational experience and is now the core of my professional life. Because of the strong influence that research has had on my life, one of my primary missions as a scientist and an educator is to provide research opportunities for students. Listed below are students I have interacted with in a research-teaching context. I have assisted many of these students in securing awards to support their endeavors, which are listed as well.

Graduate Students Advised

* Member of a group under-represented in STEM; commitment to increasing diversity in STEM

1. *Meridith Ramsey; graduated 2015; Environmental and Conservations Sciences (ECS) Program; began August 2012 – graduated with MS degree December 2015; Topic: Geochronology of fans deposits as climate proxies in the Dry Valleys region of Antarctica; Supported by NSF grant, (co-advised with A. Lewis).
2. Felix Zamora; graduated 2013; Environmental and Conservations Sciences (ECS) Program; began August 2011 – graduated with MS degree July 2013; Topic: Climate records in fans deposits of the Dry Valleys region of Antarctica; Supported by NSF grant, (co-advised with A. Lewis).
3. *Vanessa O'Connor; Environmental and Conservations Sciences (ECS) Program; began January 2007 - graduated with MS degree December 2008. Thesis title: Optical stimulated luminescence dating properties of calcium, magnesium and ferric sulfates: potentially important geochronometric minerals in Martian sediments; Supported by NASA Grant.
4. *Marissa Detschel; Physics; began May 2007 - graduated with MS degree May 2009; Thesis title: The optical dating response of Martian sediment analogue materials to a simulated Martian solar spectral irradiance environment consisting of simultaneous ultraviolet and visible irradiation; Supported by NASA Grant.
5. Alex Buell; Environmental and Conservations Sciences (ECS) Program; began May 2007 - graduated with MS degree May 2009; Thesis title: An OSL chronology for Lake Agassiz beaches along Upham's type transect; Supported by a Comer Science and Education Foundation Grant.

Undergraduate Students Mentored on Independent Research Projects

* Member of a group under-represented in STEM; commitment to increasing diversity in STEM

1. *Kayleigh Alme, Undergraduate Geology Major; Project title, OSL evaluation of dune-sourced sand lenses from Gilligan Lake, Michigan, USA.
2. Gabriel Ferragut; Undergraduate Geology and Physics Major, *NASA Space Grant Fellowship awardee, Summer 2015*; Project topic: The influence of H₂O phase on inter-granular radiation attenuation.
3. *Jenna Murphy; ***Undergraduate English Major***. Project topic: Exploratory research in geosciences writing: embedded writing instruction within Geomorphology laboratory exercises.
4. Sean Ternes; Undergraduate Geology Major; Project title, Optical dating equivalent dose distributions across grain size fractions: a detailed analysis of an Antarctic fan sample.
5. *Jasmine Nitschke; Undergraduate Geology Major; Project topic, OSL dating in the Huron Mountain Strandplain of Lake Superior.
6. *Cheyanne Jacobs; Undergraduate Geology Major; Project topic, OSL dating of beach ridge deposits of Laguna Cari-Laufquen Grande in South America.
7. Levi Moxness; Undergraduate Geology Major; Project topic, The Milnor Stage of Glacial Lake Agassiz
8. *Ashley Brieland; Undergraduate Geology Major, *Robert Noyce STEM Intern 2010*; Project title, Re-examination of the geological context and age of the Walhalla, North Dakota Mammoth. Current Research in the Pleistocene.
9. *Lauren Sager; Undergraduate Geology Minor, *Robert Noyce STEM Intern 2009*; Project topic, A revised age determination for the Embden, North Dakota mammoth using optically stimulated luminescence dating.
10. Andrew Gorz; Undergraduate Geology Major; *NASA Undergraduate "Space Grant" awardee*, Spring and Summer 2009; Project Title, OSL dating properties of Mg-carbonate.
11. *Kelly Gorz; Undergraduate Geology Major; *NASA McNair Scholar 2006-2008*; Project title, Geochronology of Lake Agassiz strandlines in Cass County, North Dakota
12. *John Fielding; Undergraduate Geology Major; *NASA McNair Scholar 2007-2009*; Project title, Pack Rat Middens as paleoenvironmental indicators in North Dakota
13. Dan Thorstad; Undergraduate Geology Minor; *NASA Undergraduate "Space Grant" awardee*, Spring 2007; Project title, Optical Dating properties of Gypsum (CaSO₄·2H₂O).
14. Todd Morken; Undergraduate Geology Major at NDSU; *NASA Undergraduate "Space Grant" awardee, Spring and Fall 2006*; Project topic, Sulfates as geochronometers for Mars surface science.
15. Andrew Podoll; Undergraduate Geology Major at NDSU; *NASA Undergraduate "Space Grant" awardee*, Spring 2005; Project title, Optical dating properties of Kieserite - an important accessory mineral in Martian sediments.

16. Roark Franklund; Undergraduate Geology Major at NDSU; Project title, Maximum age predictions for OSL dating on Mars based on dose/depth models and Martian meteorite compositions.
17. *Abigail Marohl; Undergraduate Geology Major at NDSU; Project title, Luminescence dating of fluvial sediments from Chupaderos Canyon New Mexico.
18. *Jennifer Thorstad; Undergraduate Geology Major at NDSU; *EPSCoR AURA awardee*, Summer 2004; Project title, Geochronology of lake deposits in Valles Toledo; New Mexico.

Service

Service to the Profession

Have served as technical host or co-host for two international specialist conferences:

- 4th New World Luminescence Dating and Dosimetry Workshop, Denver, CO. May 31-June 1, 2006
- 2nd North American Luminescence Dating Workshop in Albuquerque NM. August 14-16, 2003.

Have co-chaired sessions at Geological Society of America Meetings:

- Technical session co-chair (T197) GSA National Meeting 2017, Seattle, WA.
- Technical session co-chair (T12), GSA National Meeting 2012, Charlotte, NC.
- Pardee Keynote Symposium co-chair (P1) GSA National Meeting 2011, Minneapolis, MN.
- Field Course co-leader (FG24) GSA National Meeting 2011, Minneapolis, MN.
- Technical session co-chair (T138), GSA National Meeting 2010, Denver, CO.
- Technical session co-chair (T156), GSA National Meeting 2009, Portland, OR.
- Technical session co-chair (S2), GSA NC Section Meeting 2008, Evansville, IN.

Have reviewed NASA and NSF research proposals and served as a review panelist:

- NSF EAR Geomorphology program proposal reviewer, April 2012
- NASA PIDDP proposal review panelist, Jan. 2010.
- NASA ASTID proposal reviewer, Nov. 2010.

Have refereed manuscripts submitted for publication in the peer-reviewed journals:

- *Geomorphology*
- *Quaternary International*
- *Quaternary Science Reviews*
- *Radiation Measurements*
- *Journal of Luminescence*
- *Archaeometry*
- *Icarus*
- *Planetary and Space Sciences*

University Service

North Dakota State University

- Chairperson (2012 to present) University Radiation Safety Committee (Member: 2004 to Present)
- Serve as a member of the Environmental and Conservation Sciences Program Steering Committee Member (2010 to Present)
- Serve as a member of the University Chemical Safety Committee (2009 to Present)
- Departmental representative to the Common Course Numbering (CCN) Committee (2008 to Present)
- Serve as the Department of Geosciences Laboratory Safety Officer (2004 to Present)
- Served as a member of the search committee for a tenure-track geology position in the Department of Geosciences (2015 to 2016)
- Member of the CSM Dean's Advisory Committee (2013-2015)
- Served as a Faculty Senator (2010 to 2012)
- Served as a member of the search committee for Dean of the College of Science and Mathematics (2011 to 2012)

- Served as a member of the search committee for a tenure-track geography position in the Department of Geosciences (2011 to 2012)
- Served as a member of the College of Science and Mathematics Curriculum Review Committee (2005-2008)
- Served as chair of a tenure-track faculty search committee for the Department of Geosciences (2007 to 2008)
- Served as a member of the search committee for Dean of the College of Science and Mathematics (2005 to 2006)

Community Service

- Coordinated hosting the geology portion of “Science Day at NDSU” for the entire first grade (3 classes) of Dilworth Elementary (2014 & 2015)
- Chairperson (2011-2014), City of Fargo Planning Commission Board of Adjustment (2005-2014)
- Habitat for Humanity Volunteer (2007-2011)
- “Rock Talks” for Preschool and Elementary Classes (2004-2006)
- Judge for SE regional and ND State Science Fair (2008; 2010)

Honors, Awards, and Recognition of Scholarship

Honors

1995 Graduated *Summa cum Laude with distinction* in the Geological Sciences
The Ohio State University

Awards and Distinctions

2017 Nominated by students for the Excellence in Mentoring Award, North Dakota State University.
2014 Nominated by students (anonymously) for the Robert Odney Award for Excellence in Teaching,
North Dakota State University
2010 Nominated by the Department of Geosciences for the Paul Juell Mentorship Award,
College of Science and Mathematics, North Dakota State University
2008 Nominated by the Department of Geosciences for the James A. Meier Junior Professorship,
College of Science and Mathematics, North Dakota State University
2008 Nominated by students for the NDSU Science and Mathematics Ambassadors’ Faculty Excellence
Award, College of Science and Mathematics, North Dakota State University
2006 Named a **Comer Fellow** by the Comer Research and Education Foundation
(<http://www.comerfamilyfoundation.org/our-impact/comer-fellows/>)
2005 Selected as the **Gladys W. Cole Award** recipient for drylands research by the Quaternary
Geology and Geomorphology Division of The Geological Society of America
2001 Received the Oklahoma State University Research Excellence Award. Nominated by the
Department of Physics, awarded by the Oklahoma State University Graduate College
2000 Nominated for Best Student Paper of the Year Award. *By:* The Meteoritical Society and The
Planetary Division of the Geological Society of America
1999 & 2000 Selected as a participant in the NASA Summer School for Planetary Sciences
Jet Propulsion Laboratory / California Institute of Technology
1999 Received the Outstanding Experimental Physics Research Assistant Award
Oklahoma State University, Department of Physics
1995 Recognized with *Honorable Mention* in the Undergraduate Thesis Award Competition
The Ohio State University, Department of Geological Sciences

Fellowships and Scholarships

2001 - 2003 Director's Funded Postdoctoral Fellowship
Los Alamos National Laboratory, LDRD Committee

1998 - 2001 Presidential Fellowship for Water, Energy, and the Environment
Oklahoma State University, Environmental Institute

1998 – 2000 NASA Oklahoma Space Grant Fellowship
Oklahoma State University, College of Mechanical and Aerospace Engineering

2000 NASA Oklahoma EPSCoR Research Initiation Grant
The University of Oklahoma, NASA Oklahoma EPSCoR Program Office

1994 – 1995 Undergraduate Honors Research Scholarship
The Ohio State University, College of Arts and Sciences Honors Department

1992 – 1994 Marcus and Lottie Lieberman Full Academic Scholarship
The Ohio State University, Department of Geological Sciences

1994 National Association of Geology Teachers Summer Field Scholarship
The University of Dayton, Ohio

1993 – 1994 William A. Toivonen Scholarship
The Ohio State University, Department of Geological Sciences

1992 – 1995 Scarlet and Gray Scholarships
The Ohio State University, Office of Financial Aid

Molly Secor-Turner, Ph.D., MS, RN
Curriculum Vitae

CONTACT INFORMATION

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Fargo, ND 58103
Mobile: 701-361-6190

EDUCATION

2008 Ph.D. in Nursing, University of Minnesota

Dissertation: *Social Messages and Teen Sexual Health: Voices of Urban African American Youth*

2004 M.S. in Public Health Nursing, University of Minnesota

1999 B.S. in Nursing, University of Minnesota
Graduated with distinction.

POSITIONS HELD

- 2015- *Associate Professor*, North Dakota State University, School of Nursing and Master of Public Health (MPH) Program, Public Health in Clinical Systems Track
- 2013-2015 *Assistant Professor*, North Dakota State University, Master of Public Health (MPH) Program, Public Health in Clinical Systems Track
- 2010-2015 *Assistant Professor*, North Dakota State University, School of Nursing
- 2015- *Adjunct Faculty*, Center for Health Outcomes and Prevention Research, Sanford Research
- 2010 *Project Director/Research Associate*, University of Minnesota, Departments of Nursing and Pediatrics, (principal investigators: Renee Sieving and Peter Scal)
- 2008-2010 *Postdoctoral Research Fellow*, Adolescent Health Protection Research Training, Center for Adolescent Nursing, University of Minnesota
- 2004-2008 *Research Assistant*: Division of General Pediatrics, Prevention Research Center, University of Minnesota, (principal investigator: Dr. Renee Sieving)
- 2003-2004 *Research Assistant*: School of Nursing, University of Minnesota, (principal investigator: Dr. Carol O'Boyle)
- 2001-2003 *Registered Nurse*, Labor and Delivery, North Memorial Medical Center, Robbinsdale, Minnesota.
- 2000-2001 *Registered Nurse*, Medical/Surgical Departments, Bozeman Deaconess Hospital, Bozeman, Montana.

PUBLICATIONS*Refereed Journal Articles In Press and Published*

- Secor-Turner, M.,** McMorris, B. & Scal, P. (2017). Improving the Sexual Health of Young People with Mobility Impairments: Challenges and Recommendations. *Journal of Pediatric Health Care*, 31:578-587. doi:10.1016/j.pedhc.2017.03.002
- Secor-Turner, M.,** Randall, B.A., Christensen, K., Loyola, M., & Jacobson, A. (2017). Implementing community-based comprehensive sexuality education with high-risk youth in a conservative environment: Lessons learned. *Sexuality Education*. doi:10.1080/14681811.2017.1318273
- Secor-Turner, M.,** Schmitz, K., & Benson, K. (2016). Adolescent experiences of menstruation in rural Kenya. *Nursing Research*, 64(4):301-5. doi:10.1097/NNR.0000000000000161.
- Reichenberger, D., Hilmert, C., Irish, L., **Secor-Turner, M.,** & Randall, B. (2015). Associations between sleep and health-risk behaviors in a rural adolescent population. *Journal of Pediatric Health Care*, 30(4):317-22. doi:10.1016/j.pedhc.2015.08.003.
- Secor-Turner, M.,** Greise, E., Kenyon, D., & Randall, B. (2015). Sexual risk behaviors among frontier adolescents: Profiles of pregnancy risk and protection. *Health Behavior and Policy Review*, 2: 144-153.
- Secor-Turner, M.,** Randall, B., & Mudzongo, C. (2014).. Barriers and facilitators of adolescent health in rural Kenya. *Journal of Transcultural Nursing*, 1-7. doi: 10.1177/1043659614558453.
- Secor-Turner, M.,** Randall, B.R., Brennan, A., Anderson, M., & Gross, D. (2014). Rural adolescents' access to adolescent friendly health services. *Journal of Pediatric Health Care*, 28:531-540.
- Schlafer, R., Hellerstedt, W., **Secor-Turner, M.,** Gerrity, E., & Baker, R. (2014). Doula's perspectives about providing support to incarcerated women: A Feasibility study. *Public Health Nursing*, doi: 10.1111/phn.12137.
- Sieving, R., McRee, A., **Secor-Turner, M.,** Garwick, A., Bearinger, L., Beckman, K., McMorris, B., & Resnick, M. (2014). Prime Time: Long-term sexual health outcomes of a clinic-linked intervention. *Perspectives on Sexual and Reproductive Health*, 46: 91-100. doi:10.1363/46e0914.
- Hauff, A., **Secor-Turner, M.,** & Gross, D. (2014). Homeless health needs: Shelter and health service provider perspective. *Journal of Community Health Nursing*, 31: 1-15. doi:10.1080/07370016.2014.901072.
- Secor-Turner, M.,** Garwick, A., Sieving, R.E., & Seppelt, A. (2014). Characteristics of violence among adolescent girls at high risk for early pregnancy. *Journal of Pediatric Health Care*, 28(3): 227-233. doi:10.1016/j.pedhc.2013.03.002.
- Secor-Turner, M.,** McMorris, B., Sieving, R. & Bearinger, L. (2013). Life experiences of instability and sexual risk behavior among high risk adolescent females. *Perspectives on Sexual and Reproductive Health*, 45(2): 101-107. doi:10.1363/psrh.2013.45.issue-2/issuetoc.
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- Sieving, R., McMorris, B., **Secor-Turner, M.,** Garwick, A., Shlafer, R Beckman, K., , Pettingell, S., Oliphant, J., & Seppelt, A. (2013). Prime Time: 18-month Violence Outcomes of a Clinic-Based

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Sieving, R., McMorris, B., Beckman, K, Pettingell, S., **Secor-Turner, M.**, Kugler, K., Garwick, A., Resnick, M., & Bearinger, L. (2011). *Prime Time*: 12-month sexual health outcomes of a clinic-based intervention to prevent pregnancy risk behaviors. *Journal of Adolescent Health*, 49(2): 172-179.

Secor-Turner, M., Garwick, A., Horvath, K., Wells, C., & Scal, P. (2011). Living with Juvenile Arthritis: Adolescents' Challenges and Experiences. *Journal of Pediatric Health Care*, 25(5): 302-307. doi: 10.1016/j.pedhc.2010.06.004.

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Secor-Turner, M., Sieving, R., Widome, R., Plowman, S., & Vanden Berk, E. (2010). Active parent consent for health surveys with urban middle school students: Processes and outcomes. *Journal of School Health*, 80(2): 73-79. doi: 10.1111/j.1746-1561.2009.00468.x.

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Widome, R., Sieving, R., & **Secor-Turner, M.** (2008). Young adolescent responses to different question formats assessing race/ethnicity. [Editorial]. *Journal of Adolescent Health*, 42(4), 421. doi:10.1016/j.jadohealth.2008.01.005

Secor-Turner, M. & O'Boyle, C. (2006). Nurses and Emergency Disasters: What Is Known? *American Journal of Infection Control*, 34(7), 414-420. Impact factor 2.73.

O'Boyle, C., Robertson, C., & **Secor-Turner, M.** (2006). Public Health Emergencies: Nurses' Recommendations for Effective Actions, *AAOHN Journal*, 54(8), 347-353.

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Non-refereed Publications

- Query, S., Randall, B.A., Secor-Turner, M., Werner, J., & Snelgrove, M. (2014). *Increasing Seat Belt Usage among Pre-driving Youth in North Dakota*. Report and summary of intervention findings prepared for the North Dakota Department of Transportation.
- Secor-Turner, M.** & Randall, B.A. (2013). *Understanding Adolescent Health Risk and Protection in Rural Kenya*. Feature article, Society for Research on Adolescent Online News. <http://www.s-r-a.org/announcements/online-newsletter/2013-09-26-understanding-adolescent-health-risk-and-protection-rural>
- Randall, B., Thompson, K., Christensen, K., & **Secor-Turner, M.** (2013, May). *North Dakota Sexual Health Instruction Survey Results*. Report and summary of survey findings prepared for public school teachers and administrators in North Dakota.
- Secor-Turner, M.** & Heuer, L. (2013, May). *American Indian Youth Education and Employment Survey Results*. Executive summary.
- Secor-Turner, M.** & Heuer, L. (2012, June). *The Future of American Indians into Nursing in North Dakota-2012*. Executive summary prepared for nursing educators and administrators in North Dakota, and conference participants.
- Secor-Turner, M.,** Randall, B.A., & Brennan, A. (2012, September). *Rural Adolescent Health Survey Report: Beach High School*. Report and summary of survey findings prepared for Beach High School administrators and faculty, Beach, ND.
- Secor-Turner, M.,** Randall, B.A., & Brennan, A. (2012, September). *Rural Adolescent Health Survey Report: Griggs County Central High School*. Report and summary of survey findings prepared for Griggs County Central High School administrators and faculty, Cooperstown, ND.
- Secor-Turner, M.,** Randall, B.A., & Brennan, A. (2012, September). *Rural Adolescent Health Survey Report: Sargent County High School*. Report and summary of survey findings prepared for Sargent County High School Administrators and faculty, Forman, ND.
- Secor-Turner, M.,** Randall, B.A., & Brennan, A. (2012, September). *Rural Adolescent Health Survey Report: Wishek High School*. Report and summary of survey findings prepared for Wishek High School Administrators and faculty, Wishek, ND.
- Secor-Turner, M.,** Randall, B.A., & Brennan, A. (2012, October). *North Dakota Rural Adolescent Health Survey Report*. Report and summary of statewide survey findings prepared for ND Department of Health, North Dakota legislators and policy makers, ND Department of Public Instruction, and other adolescent health audiences, Fargo, ND.

COMPETITIVE CONFERENCE PRESENTATIONS AND POSTERS

International

- Gaffaney, M., **Secor-Turner, M.**, Stamm, C., Borgelt, L., Chau, V., Topp, D., Rupp, L., & Gilroy, C. (2016). **Poster Presentation:** Outdated Counseling in the Pharmacy?: A Qualitative Analysis of Emergency Contraception Access in Wyoming. NASPAG Annual Clinical and Research Meeting, Toronto, Canada. 4/8/2016.
- Secor-Turner, M.,** Schmitz, K., & Benson, K. (2015). **Oral Presentation:** Adolescent Girls' Menstruation Management and Meaning in Rural Kenya. European Sociological Association Annual Meeting, Prague, Czech Republic. 8/28/2015.

McMorris, B., **Secor-Turner, M.**, & Stoddard, S. (2013). **Oral Presentation:** Adolescent Health in Rural and Urban Global Contexts: Highlights from American, Australian, and Kenyan Datasets and Implications for Clinical and Public Health Practice. International Association of Adolescent Health 10th World Congress, Istanbul, Turkey.

Secor-Turner, M., Kiefer, S., Weisskrich, R. and moderated by Randall, B. (2012). **Panel discussion:** Teaching About Adolescence: Similarities and Differences across Disciplines. Society for Research on Adolescence Conference, Vancouver, British Columbia.

National

Secor-Turner, M., Randall, B.A., Christensen, K., Jacobson, A., & Loyola-Melendez, M. (2017). **Poster presentation:** Tailoring Comprehensive Sexuality Education to Meet the Needs of New American Refugee Youth. 2017 National Sexual Health Conference, Denver, CO.

Secor-Turner, M., Randall, B.A., Christensen, K., & Packineau, Z. (2017). **Poster presentation:** Adapting Evidence-based Community Prevention Programs to Meet the Community Need. 2017 FYSB Adolescent Pregnancy Prevention Grantee Conference, St. Louis, MO.

Mudzongo, C. C., Randall, B. A. & **Secor-Turner, M.** (2016). **Poster presentation:** Sexual and reproductive health knowledge and behaviors of at-risk adolescents. Society for Research on Adolescence Conference, Baltimore, MD.

Secor-Turner, M., Jacobson, A., Christensen, K., & Olerud, R. (2015). **Oral presentation:** From the Ground Up: Creating and Sustaining Partnerships for Sex-Positive Programming in a Conservative Environment. Drawing Water from a Deeper Well, Denver, CO.

Mudzongo, C., Randall, B., & **Secor-Turner, M.** (2015). **Poster:** Parent-youth communication of at-risk youth. Society for Research in Child Development, Philadelphia, PA.

Secor-Turner, M., Greise, E., Kenyon, D., & Randall, B. (2014). **Oral presentation:** Sexual risk behavior among rural adolescents: Profiles of pregnancy risk and protection. Society for Adolescent Health and Medicine Conference, Austin, TX.

Secor-Turner, M., Randall, B., & Mudzongo, C. (2014). **Poster:** Barriers and facilitators that shape the health experiences of rural Kenyan youth. Society for Research on Adolescence Conference, Austin, TX.

Wilcox, B., Mustanski, B., & **Secor-Turner, M.** and moderated by Randall, B. (2014). **Panel discussion:** Adolescent Sexual Health Research as an Exemplar of the Politicization Problem. Society for Research on Adolescence Conference, Austin, TX.

Brennan, A., Randall, B., & **Secor-Turner, M.** (2014). **Poster:** External Developmental Assets and Rural Adolescent Mental Health. Society for Research on Adolescence Conference, Austin, TX.

Secor-Turner, M., Randall, B., Brennan, A., Anderson, M., & Gross, D. (2013). **Poster:** How Adolescent Friendly are Rural Health Services? Society for Adolescent Health and Medicine Conference, Atlanta, GA.

Shlafer, R., Gerrity, E., Baker, R., & **Secor-Turner, M.** (2013). *Doula support for incarcerated mothers.* Paper accepted for the biennial meeting of the Society for Research in Child Development. Seattle, WA.

Secor-Turner, M., Sieving, R., Pettingell, S., & Bearinger, L. (2012). **Oral Presentation:** Sexual Risk Behavior: Early Pregnancy Risk and Protection. Society for Adolescent Health and Medicine Conference, New Orleans, LA.

- Secor-Turner, M.,** McMorris, B., Sieving, R., & Bearinger, L. (2011). **Poster:** Are Life Experiences of Instability Related to Sexual Risk Behavior Among High Risk Adolescent Girls? Poster Presentation, Society for Adolescent Health and Medicine Conference, Seattle, WA.
- Kugler, K., Sieving R., McMorris, B., Pettingell, S., Beckman, K. & **Secor-Turner, M.** (2010). **Poster:** Outcomes from a clinic-based intervention to reduce sexual risk behaviors among adolescent girls: the *Prime Time* study. Poster presentation, Society for Prevention Research, Conference, Denver, CO.
- Secor-Turner, M.,** Sieving, R., & Garwick, A. (2009). **Poster:** Social messages, social context and teen sexual health: Voices of urban African American Youth. Poster presentation, Society for Adolescent Health and Medicine Conference, Los Angeles, CA.
- Secor-Turner, M.,** Sieving, R., & Skay, C. (2008). **Oral Presentation:** Associations between adolescents' sources of information about sex and risky sexual behaviors. Platform Presentation, Society for Adolescent Health and Medicine Conference, Greensboro, NC.
- Kenyon, D.B., Koerner, S.S., & **Secor-Turner, M.** (2008). **Poster:** Perceptions of parent-adolescent relationship change before and after the transition to college. Poster presentation, Society for Research on Adolescence, Conference, Chicago, IL.
- Regional*
- Stubstad, C., Citrowske, Z., & Olson, M., Mudzongo, C. C., Randall, B. A., & **Secor-Turner, M.** (2017). **Poster:** Links Between Risky Sexual Behaviors and Substance Use among College Freshman. Red River Psychology Conference, Moorhead, MN.
- Secor-Turner, M.,** Randall, B.A., & Christensen, K. (2016). **Oral Presentation:** Building a Comprehensive Sexuality Education Program in a Conservative Environment: Partnerships and Outcomes. Dakota Conference on Rural and Public Health, Grand Forks, ND.
- Mudzongo, C. C., Randall, B. A. & **Secor-Turner, M.** (2016). **Poster:** Sexual and reproductive health knowledge and behaviors of at-risk adolescents. Red River Psychology Conference, Moorhead, MN.
- Secor-Turner, M.,** Schmitz, K., & Benson, K. (2015). **Poster:** Adolescent Experiences of Menstrual Hygiene Management in Rural Kenya. Nursing Research Showcase, Sanford Health, Fargo, ND. ***Winner Favorite Research Poster*
- Secor-Turner, M.,** Griese, E., Kenyon, D., & Randall, B. (2014). **Poster:** Predictors of Sexual Risk Behaviors among Rural Adolescents. Ignite Your Spirit: Nursing Research Showcase, Sanford Health, Fargo, ND.
- Dei, N. & **Secor-Turner, M.** (2014). **Poster:** Maternal Health in South Sudan: Needs and Challenges. Ignite Your Spirit: Nursing Research Showcase, Sanford Health, Fargo, ND.
- Anderson, M., **Secor-Turner, M.,** Gross, D., Lundeen, T., & Friesner, D. (2014). **Poster:** Improving Adolescent Friendly Healthcare Services: Implementing Comprehensive Psychosocial Histories into Practice. Sanford Health Nursing Research Symposium, Fargo, ND.
- KapplemanBeyer, D., **Secor-Turner, M.,** Gross, D., Barnacle, M., & Friesner, D. (2014). **Poster:** Addressing Student Depression on Campus. Sanford Health Nursing Research Symposium, Fargo, ND.

- Hauff, A. & **Secor-Turner, M.** (2013). **Poster:** Homeless Health and Respite Care Needs in Fargo-Moorhead. Sanford Nursing Symposium Gallery of Innovation, Fargo, ND. **Winner of the Nursing Research Category Award*
- Secor-Turner, M.,** Randall, B., Brennan, A., Anderson, M., & Gross, D. (2013). **Poster:** How Adolescent Friendly are Rural Health Services? Sanford Nursing Research Showcase, Fargo, ND.
- Hauff, A. & **Secor-Turner, M.** (2012). **Oral Presentation:** Health Needs and Respite Care for Fargo-Moorhead Homeless Population. Minnesota Coalition for the Homeless 2012 Annual Conference. Duluth, MN.
- Wright, M., Heuer, L., **Secor-Turner, M.,** Kiser-Larson, N., Azure, L., & McDonald, L. (2012). **Poster:** A Community/Academic Partnership Promoting Recruitment and Retention of American Indians into Nursing. Poster presentation, Nuts & Bolts for Nurse Educators Conference, Minneapolis, MN.
- Secor-Turner, M.,** McMorris, B., Sieving, R., & Bearinger, L. (2011). **Poster:** Are Life Experiences of Instability Related to Sexual Risk Behavior Among High Risk Adolescent Girls? Poster Presentation, Nursing Research Day, University of Minnesota, Minneapolis, MN.
- Secor-Turner, M.,** Garwick, A., Sieving, R.E., & Seppelt, A. (2011). **Oral Presentation:** Characteristics of Violence among Adolescent Girls at High Risk for Early Pregnancy. Oral presentation, Midwest Nursing Research Society Annual Meeting, Columbus, OH.
- Secor-Turner, M.,** Sieving, R., & Garwick, A. (2009). **Oral Presentation:** Social messages, social context and teen sexual health: Voices of urban African American Youth. Oral presentation, Midwest Nursing Research Society Annual Meeting, Minneapolis, MN.
- O'Boyle, C., Robertson, C., and **Secor-Turner, M.** (2005). **Poster:** Variables that Influence the Response of Nurses During a Bioterrorism Event. AAOHN poster presentation. Minneapolis, Minnesota.
- University*
- Stubstad, C., Citrowske, Z., & Olson, M., Mudzongo, C. C., Randall, B. A., & **Secor-Turner, M.** (2017). **Poster:** Links Between Risky Sexual Behaviors and Substance Use among College Freshman. NDSU College of Human Development and Education 11th Annual Research Symposium, Fargo, ND.
- Chinopfukutwa, V. S., Randall, B. A., & Secor-Turner, M. (2017). **Poster:** Strong Relationships as Predictors of Effective Peer Education for Adolescents. NDSU College of Human Development and Education 11th Annual Research Symposium, Fargo, ND.
- Brennan, A., Randall, B., & **Secor-Turner, M.** (2013). **Poster:** External Developmental Assets and Rural Adolescent Mental Health. North Dakota State University Graduate Student Poster Competition. **Winner of the Best Student Poster Award*
- Hauff, A. & **Secor-Turner, M.** (2012). **Poster:** Homeless Health and Respite Needs in Fargo-Moorhead. North Dakota Nurse Practitioner Pharmacology Conference.
- Brewster, L. & **Secor-Turner, M.** (2012). **Poster:** I am AIDS: Bridging the Gap. North Dakota Nurse Practitioner Pharmacology Conference.
- Lloyd, A., Oishi, M., Pulvers, E., Sorg, E., Rubenstein, P., Marcewicz, L., Sampath, A., **Secor-Turner, M.,** Falk, K., Heuer, L., Cushman, L., McDonald, L., Lindquist, C., & Ripp, J. (2012). **Poster:** Increasing Health Career Interest in Native American Youth of the Spirit Lake Nation: A Descriptive Study. Mt. Sinai Medical Student Research Day, New York, NY.

- Sorg, E., Lloyd, A., Pulvers, E., Marcewicz, L., Sampath, A., Rubenstein, P., **Secor-Turner, M.**, Falk, K., Oishi, M., Heuer, L., Cushman, L., McDonald, L., Lindquist, C., & Ripp, J. (2012). **Poster:** Effects of a Community-Based Participatory Program on Youth Interest in Health Careers in the Spirit Lake Nation, North Dakota. Mt. Sinai Medical Student Research Day, New York, NY.
- Rubenstein, P., Ripp, J., Oishi, M., McDonald, R., Lindquist, C., Lloyd, A., Marcewicz, L., Pulvers, E., Sampath, A., Sorg, E., Cushman, L., **Secor-Turner, M.**, & Heuer, L., (2012). **Poster:** Evaluation of Health Professional Development Curricula for the Spirit Lake Dakota Nation. Mt. Sinai Medical Student Research Day, New York, NY.
- Secor-Turner, M.**, McMorris, B., Sieving, R. & Bearinger, L. (2010). **Oral Presentation:** Are experiences of instability related to sexual risk behavior among high risk adolescent girls? Oral Presentation, Nursing Research Day, University of Minnesota.
- Walters, S., **Secor-Turner, M.**, & Eisenberg, M. (2009). **Poster:** Social messages received about reproductive and sexual health: Perspectives of College Men. Poster Presentation, Fellows' Research Day, University of Minnesota.
- Secor-Turner, M.**, Sieving, R., & Garwick, A. (2008). **Oral Presentation:** Social messages, social context and teen sexual health: Voices of urban African American Youth. Oral Presentation, Fellows' Research Day, University of Minnesota.
- Secor-Turner, M.**, Sieving, R., & Skay, C. (2008). **Poster:** Associations between adolescents' sources of information about sex and risky sexual behaviors. Poster Presentation, Nursing Research Day, University of Minnesota.
- Secor-Turner, M.**, Sieving, R., & Skay, C. (2007). **Poster:** Associations between adolescents' sources of information about sex and risky sexual behaviors. Poster Presentation, Fellows' Research Day, University of Minnesota.

RESEARCH EXPERIENCE

Project Title, Role	Funding Agency	Amount, Status	Date	Purpose
PREP: Making Healthy Choices <i>Co-Principal Investigator</i>	Department of Health and Human Services/ACF	\$750,000 funded	9/15-9/18	To provide medically accurate, culturally responsive, evidence-based sexuality education and adulthood preparation instruction grounded in healthy youth development to high-risk, vulnerable youth in the metropolitan area of Fargo, North Dakota.
STANDING Together to Promote Native Communities' Health Coalition <i>Principal Investigator, Evaluation</i>	Office of Adolescent Health	\$5,000,000 Not funded	7/15-6/20	To implement and evaluate the efficacy of the <i>Native STAND</i> curriculum at contributing to positive health outcomes among AI/AN communities in diverse US states.
Afya: A Rapid Participatory Appraisal of Health in Rural Kenya <i>Principal Investigator</i>	Midwest Nursing Research Society	\$10,000 Not funded	Submitted 12/13	To assess health-related needs and assets in the Tharaka-Nithi community of rural Kenya using Rapid Participatory Appraisal methods.
PREP: Making Healthy Choices <i>Co-Principal Investigator</i>	Department of Health and Human Services/ACF	\$1,085,460 Funded	9/12-8/15	To provide medically accurate, culturally responsive, evidence-based sexuality education and adulthood preparation instruction grounded in healthy youth development to high-risk, vulnerable youth in the metropolitan area of Fargo, North Dakota.
Increasing Seatbelt Usage among Pre-driving Youth in North Dakota <i>Co-Investigator</i>	North Dakota Department of Transportation	\$49,780 Funded	10/12-9/13	To evaluate the effectiveness of a pilot curriculum to increase youth seatbelt knowledge, self-reported seatbelt use, and family/peer seatbelt use among reservation and non-reservation based 4 th , 6 th , and 8 th graders.
<i>Prime Time</i> : Long-Term Intervention Outcomes <i>Co-Investigator</i>	University of Minnesota, Grant-In-Aid Funding (subcontract)	\$6,000	7/12-4/13	1) To examine sustained effectiveness of <i>Prime Time</i> intervention (i.e., 6 and 12-months post-intervention) in reducing sexual risk outcomes (i.e., behaviors & psychosocial factors). 2) To evaluate differences in contextual factors (e.g., supportive sexual partner, family instability) between intervention participants who reported reductions in risky sexual behaviors versus those who maintained risky sexual behaviors over time.

Gauging and Creating Public and Political Will for Comprehensive Youth Sexuality Education <i>Co-Principal Investigator</i>	Ford Foundation	\$415,000 Not funded		1) To understand North Dakotan's attitudes toward adolescent sexuality education from the perspective of adolescents, parents, eligible voters and policy makers. 2) To educate and train emerging leaders in scholarship and policy to work in partnership with communities and youth-serving organizations to advocate for evidence-based sexuality education that is informed by principles of healthy youth development. 3) To create strategic communication that translates sexuality research findings into messages targeted specifically to parents, eligible voters, school districts, and other policy makers. 4) To disseminate strategic messages developed with community partners via strategic communications in order to improve sexuality education for youth.
Sustaining Career Pathways for American Indian Health Professionals in ND: Building Apprenticeship and Workforce Options <i>Co-Investigator</i>	Department of Health and Human Services	\$1,958,439 Funded	11/11-12/13	To build a <i>sustainable career path</i> for American Indian people to enter the professional health care workforce in ND; and 2) to create a health professional workforce that is culturally diverse and responsive to the significant health care needs of Tribal populations.
Culturally Specific Health-Related Risk and Protective Factors among Rural Kenyan Adolescents <i>Principal Investigator</i>	Society for Research on Adolescents	\$7,000 Funded	3/12-2/13	To understand culturally-specific risk and protective factors that influence rural adolescent risk behaviors and outcomes in Kenya.
Nursing Practicum in Global Health: The Kenya Experience	NDSU Development Foundation	\$55,000 Not funded		To support students learning in acute care and community-based health service delivery settings in Kenya.
North Dakota Teens' Cell Phone and Internet Usage <i>Co-Investigator</i>	NDSU	\$7,600 Funded	4/11-present	To understand decisions ND adolescents in grades 7-12 make regarding using their cell phones and internet, specifically regarding texting.

Aging Farmers: Perspectives on Health and Farm Work <i>Co-Investigator</i>	NDSU Development Foundation	\$14,000 Not funded		To provide a deeper understanding of the health related experiences and challenges of aging farmers as they actively farm or transition into retirement.
Understanding Suicide Among American Indian Youth: Native Voices <i>Principal Investigator</i>	National Institutes of Health	\$397,375 Not funded		To examine the interplay of contextual individual, social and cultural risk and protective factors related to disproportionately high rates of suicide behaviors among Midwest American Indian youth from the perspective of urban and reservation-based youth, parents, and tribal elders.
Sexual Risk Behavior: Early Pregnancy Risk and Protection, <i>Principal Investigator</i>	Midwest Nursing Research Society	Resubmitted Not funded		To expand understanding of profiles of sexual risk by examining the interplay of multiple risk and protective factors for sexual risk behaviors among adolescent girls at high risk for early pregnancy and STD (Logistic regression and probability profiling analysis methods).
Loan Repayment Program Renewal Application, <i>Recipient</i>	National Institutes of Health	\$17,000 Funded	9/11-9/13	The objective of the LRP program is to recruit and retain highly qualified health professionals as pediatric investigators.
Transition to Adulthood and Adult Healthcare for Youth with Mobility Limitations <i>Program Director</i>	CDC, National Center for Birth Defects and Developmental Disabilities	Funded	April-August 2010	To identify barriers and facilitators to developmentally appropriate, high quality healthcare services among youth with mobility limitations; and to examine the relationship between healthcare services and achievement of optimal health-related outcomes in adulthood among youth with mobility limitations.
Sexual Risk Behavior: Early Pregnancy Risk and Protection, <i>Principal Investigator</i>	Midwest Nursing Research Society	\$10,000 Not funded	7/10-6/11	To expand understanding of profiles of sexual risk by examining the interplay of multiple risk and protective factors for sexual risk behaviors among adolescent girls at high risk for early pregnancy and STD (Logistic regression and probability profiling analysis methods).
Experiences of Instability and Risky Sexual Behavior, <i>Principal Investigator</i>	Sigma Theta Tau International	\$1,333 Funded	7/09-6/10	To examine and describe cross-sectional and longitudinal relationships between individual experiences of environmental unpredictability or chaos and risky sexual behaviors among a sample of urban , high-risk adolescent girls (Structural equation modeling analysis methods).
Loan Repayment Program, <i>Recipient</i>	National Institutes of Health	\$17,000 Funded	9/09-9/11	The objective of the LRP program is to recruit and retain highly qualified health professionals as pediatric investigators.

Social Messages and Teen Sexual Health: Voices of Urban African American Youth, <i>Principal Investigator</i>	National Research Science Award (NRSA) Individual Predoctoral Fellowship (F31), NIH	\$34,572 Funded	7/07-7/08	To complete a doctoral research training program, including a qualitative dissertation focused on young women's perceptions of how social messages influenced their sexual behaviors and childbearing as adolescents. (Community engagement research methods).
Prime Time: Health Promotion for Multiple Risk Behaviors (R. Sieving, PI), <i>Intervention & Research Staff</i>	National Institute of Nursing Research, NIH	\$3,020,379 Funded (\$43,000 subcontract at NDSU)	9/08-9/11	To test a youth development based intervention designed to prevent sexual risk behaviors, violence involvement and school disconnection among 13-17 year old girls at high risk for these negative health outcomes. <ul style="list-style-type: none"> • Co-taught peer education and service learning intervention components. • Participated in quantitative and qualitative data analysis.
Internet-Based Health Care Transition Program (P. Scal, A. Garwick, Horvath, K., Co-PIs), <i>Research Associate, Consultant</i>	University of Minnesota-Academic Health Center Faculty Research Development Program	Funded	9/08- 8/10	To develop and pilot test an internet intervention to improve health care transition for adolescents Juvenile Chronic Arthritis (JCA). <ul style="list-style-type: none"> • Moderated and led analysis of teen /young adult focus groups to guide internet-based intervention design. • Participated in website design, content, and analysis. • Co-developed national survey to assess health care transition needs of youth with JCA.
Lead Peace Plus (R. Sieving, PI), <i>Research assistant</i>	Prevention Research Center (CDC), University of Minnesota	Funded	9/04-8/08	Community-partnered project focused on reducing multiple risk behaviors including violence involvement, substance use, and school failure among middle school students from economically disadvantaged Minneapolis neighborhoods by changing core risk and protective factors for these behaviors. <ul style="list-style-type: none"> • Interim Evaluation Coordinator (2007). • Adapted health education curricula to an urban, multi-ethnic student population. • Co-taught 8th grade health education intervention classes.
Nurses' Response to Bioterrorism (C. O'Boyle, PI), <i>Research assistant</i>	Grant-in-Aid, U of Minnesota Graduate School	Funded	6/03-6/04	<ul style="list-style-type: none"> • Coordinated research study with more than 200 participants. • Managed data and performed basic statistical analysis using SPSS.

AWARDS and FELLOWSHIPS

Fellow, Society for Adolescent Health and Medicine, March 2017.

Emerging Leader Award, Planned Parenthood Minnesota, North Dakota, South Dakota, November, 2016.

Scholar, Aspen Institute Spotlight Health, June, 2016.

YWCA Woman of the Year Nominee, Advocacy and Equality Category, April, 2016.

Excellence in Nursing Research Award, Sigma Theta Tau International Nursing Honor Society, Xi-Kappa At-Large Chapter, October, 2015.

Tapestry of Diverse Talents, North Dakota State University, inducted February, 2015.

Distinguished Alumni Humanitarian Award, University of Minnesota School of Nursing, 2014.

Exceptional Contributions for Collaborative Efforts Award, NDSU College of Human Development and Education, 2014. Awarded to the Reach One Teach One Program Team (**Secor-Turner, M.** & Randall, B., Co-PIs)

Nominee, Dean's Award for Excellence in Research, College of Pharmacy, Nursing and Allied Science, North Dakota State University, Spring 2012.

Postdoctoral Fellow, Adolescent Health Protection Research Training, CDC, School of Nursing, University of Minnesota, Minneapolis, Minnesota, September 2008 to 2010.

Sophia Fund Nursing Scholarship for Public Health Nursing to support dissertation research, September, 2007.

Predocctoral Fellow, Adolescent Health Protection Research Training, School of Nursing, University of Minnesota, Minneapolis, Minnesota, 2003 – 2007.

Graduate Nursing Scholarship, 2002-2003.

INVITED PRESENTATIONS

Research Presentations

"A Social Contextual Approach to Adolescent Health Risk and Protection." Psychology Colloquium Series, North Dakota State University, February, 20, 2015.

"Adolescent Health Risk and Protection: A Social-Contextual Approach." Kenya Mission Network Meeting, Detroit, MI. October 11, 2013.

"Adolescent Risk and Protection." Sanford Research Seminar Series keynote speaker, Sioux Falls, SD. September 27, 2013.

Guest Lectures

"An Introduction to Nursing Research and Evidence-based Practice." Clive Irvine College of Nursing, PCEA Chogoria Hospital, Chogoria, Kenya, April 5, 2017.

"Health care in Kenya." Guest Faculty: Physical Therapy Program. Jamestown University, February 27, 2014.

"Public Health and Public Policy." Guest Faculty: Political Science: Health Policy. North Dakota State University, March 27, 2012.

"Understanding Risk and Protection to Improve Adolescent Health." Department of Human Development and Family Science Colloquium Series. North Dakota State University, November 21st, 2011.

"Adolescent Health Promotion Research: Understanding Risk and Protection." Guest Faculty: Comm 780: Health Communication. North Dakota State University, April 27th, 2011.

"Promoting Adolescent Health: Risk and Protection." Keynote Presenter: Women in Research Networking Luncheon. North Dakota State University, February 7th, 2011.

"Preparing a federally funded, mentored research proposal: Lessons learned." Co-presenter: Center for Child & Family Health Promotion Research. University of Minnesota, November, 2009.

"Reading and Critiquing Qualitative Research." Guest Faculty: Nursing 5016: Critical Readings in Adolescent Health. University of Minnesota, November, 2009.

"Adolescent Sexual Health: Lenses for Understanding." Guest Faculty: Adolescent Sexual Health Seminar, University of Minnesota, Interdisciplinary Fellowship Training. January, 2009.

"Adolescent Health and Development." Guest Faculty: Introduction to Social Work, Metropolitan State University, November, 2006.

Other

"Promotion to Professor Luncheon," Panel Member, FORWARD Faculty Panel Discussion, North Dakota State University, February 2, 2016.

"Getting Ready for Summer Research," Panel Member, FORWARD Faculty Panel Discussion, North Dakota State University, May 19, 2015.

"What is Diversity in North Dakota?" Panel Member, Community Engagement Forum, North Dakota State University, February 10, 2015.

"Learning through Partnership: Community Health in Rural Kenya." Keynote speaker, World iView Spring Speaker Series, North Dakota State University, February 20, 2014.

"The Makers—Reactions to the Women's Movement." Panel discussion participant, North Dakota Women's Network, Fargo, ND, November 4, 2013.

"NDSU Nursing Students in Kenya." Great Western Exchange Service Club. Fargo, ND, June 4th, 2013.

"Experiences of Instability and Risky Sexual Behaviors." Sigma Theta Tau International, Zeta Chapter Induction. University of Minnesota, April 29th, 2011.

TEACHING EXPERIENCE

North Dakota State University

<i>Course #, Credits, Term</i>	<i>Course Title</i>	<i>Role</i>
Nurs 450, 4 sem cr • Spring, 2012-14	Nursing Synthesis and Practicum Kenya Experience	Course development/Primary instructor
• Spring, 2015	Nursing Synthesis and Practicum Malawi Experience	
• Spring, 2016-17	Nursing Synthesis and Practicum Kenya Experience	

Nurs 406 , 4 sem cr	Public Health Nursing	Primary instructor
<ul style="list-style-type: none"> • Spring, 2011 • Summer, 2011 (<i>LPN/RN to BSN; web-based course</i>) • Spring, 2012 • Summer, 2012 (<i>LPN/RN to BSN; web-based course</i>) • Spring, 2013 • Spring, 2014 • Spring, 2015 • Spring, 2016 • Spring, 2017 		
Nurs 715 , 3 sem cr	Advanced Community Assessment (web-based course)	Primary instructor
<ul style="list-style-type: none"> • Fall, 2010 • Fall, 2011 • Fall, 2012 • Fall, 2013 • Fall, 2014 • Fall, 2015 • Fall, 2016 • Fall, 2017 		
MPH 790 , 1 sem cr	Interdisciplinary Community Health Seminar Series	Coordinator
<ul style="list-style-type: none"> • Fall, 2013 • Spring, 2014 • Fall, 2014 		
<i>Holden Village</i>	Guest Faculty	
<ul style="list-style-type: none"> • Summer, 2017 		
<i>University of Minnesota</i>		
Course #, Credits, Term	Course Title	Role
Nurs 5800 (2) , 3 sem cr	Population-focused Assessment & Prioritization (web-based course)	Co-instructor
<ul style="list-style-type: none"> • Spring, 2010 		
Nurs 5800 , 1 sem cr	Topics in Nursing: Applied Research Seminar for Masters in Nursing Students	Co-instructor
<ul style="list-style-type: none"> • Fall, 2009 		
Nursing 5604 , 2 sem. crs	Sexual Health For All Youth: Are We There Yet?	Co-instructor
<ul style="list-style-type: none"> • Summer, 2008 		
Nurs 4205W/V , 3 sem. crs	Nursing Theory and Research	Teaching assistant
<ul style="list-style-type: none"> • Spring, 2004 		
Nurs 4203 , 3 sem. crs	Nursing Fundamentals II	Co-instructor, skills lab
<ul style="list-style-type: none"> • Fall, 2003 		
Nurs 4201 , 6 sem. crs	Nursing Care of Adults	Clinical instructor
<ul style="list-style-type: none"> • Fall, 2003 		

Masters Theses and Doctoral Dissertations

<i>Student</i>	<i>Degree</i>	<i>Department</i>	<i>Advising Role</i>	<i>Graduation Date</i>
Natasha Petry	MPH	Public Health	Chair, Master's Paper	2018
Samantha Myhre	PhD	Psychology	Member, Examining Committee	2018
Michelle Adelman	MPH	Public Health	Chair, Master's Paper	2017
Maggie Carlson	MPH	Public Health	Chair, Master's Paper	2016
Courage Mudzongo	PhD	HDFS	Member, Examining Committee	2016
Elizabeth Schwartz	MS	HDFS	Member, Examining Committee	2015
Rosa Jacobs	MS	Nursing	Chair, Examining Committee	2015
Hannah Altmann	PhD	Mathematics	Member, Examining Committee	2015
Katherine Rogers	MS	HDFS	Member, Examining Committee	2013
Shauna Erickson	MS	HDFS	Member, Examining Committee	2013
Alexis Hanson	MS	HDFS	Member, Examining Committee	2013
Alexa Evenson	PhD	HDFS	Member, Examining Committee	2013
Kathrine Christiansen	PhD	HDFS	Member, Examining Committee	2012
Emily Haugen	MS	HDFS	Member, Examining Committee	2012
Anthony Randles	PhD	HNES	Member, Examining Committee	2011

FACULTY DEVELOPMENT/CONTINUING EDUCATION ATTENDANCE

11/22/2011	Cynthia Lindquist, Pedagogical Luncheon	NDSU
11/10/2011	Estelle Lederer, "RAGE—A New Target in Diabetes, Cancer, and Alzheimer's	NDSU
10/6/2011	Dr. Joe Redish, Pedagogical Luncheon	NDSU
1/27/2011	Valerie Young, Faculty Workshop, "The Imposter Syndrome"	NDSU
1/27/2011	Valerie Young: Pedagogical Luncheon- "The Imposter Syndrome"	NDSU
12/1/2010	Bonnie Coffey, "Contacts Count," Women in Research Presentation	NDSU
11/4/2010	Dr. Philip Boudjouk, "Building a Nationally Competitive Research Program at NDSU"	NDSU
10/4/2010	Dr. Denise K. Lajimodiere, "First Native Professor, My Experiences at NDSU"	NDSU
9/21/2010	Dr. Joann Moody: Women Faculty- "Tricks of the Trade: Saving Time and Sanity"	NDSU
9/21/2010	Dr. Joann Moody: Pedagogical Luncheon- "Mentoring Students: Good and Bad Practices"	NDSU
9/18/2010	"F-M First Nation's Journey: Walking with our Youth,"	MSUM
8/2010	Dr. Jeanne Frenzel: Pedagogical Luncheon	NDSU
8/20/2010	NDSU Department of Nursing, "Growing with the Speed of Change"	Fargo, ND

CONSULTING EXPERIENCE

"Rapid Participatory Appraisal of Community Health Needs of Rural Adolescents in the Kaare Subarea." Millicent

Garama, Executive Director, Faraja Family Resource Center, Chogoria, Kenya. Collaboratively led and participated in a community assessment of 6 rural villages to identified adolescent health needs within the community and plan for future programming, 2014.

“Community Health Services for Post-detained Youth: Youth Perspectives.” Chiwe Umez (PI), University of Minnesota. Consulted on study design and methodology for conducting individual interviews with detained youth. 2010-11.

“Key Information Interviews with Minneapolis High School Administrators.” Rachel Clasen (PI), University of Minnesota. Consulted on recruitment, study design, interview questions and analysis approaches for qualitative key informant interviews. 2011.

“Caregiver Outcomes Post Nursing Home Placement of a Family Member.” Consulted in question design and moderation of 4 focus groups with nursing home resident family members and staff for an NIH funded study. University of Minnesota, Summer 2009.

“Rainbow Health Initiative.” Focus group planning consultation to plan and implement focus groups with LGBT young women who have experienced unplanned pregnancy. Minneapolis, May, 2009.

Telephone consultation to UW Madison OB/GYN resident conducting focus groups with African American adolescents regarding teen childbearing. March, 2009.

PROFESSIONAL MEMBERSHIPS (current)

North Dakota Center for Nursing

- North Dakota Nurses Day at the Legislature Planning Committee, member

Midwest Nursing Research Society

- Program Planning Committee, 2016-2017
- Abstract Review Committee, 2016

Society for Adolescent Health and Medicine

- Abstract Review Committee, 2016
- Co-director of Nursing Research Special Interest Group, 2011-2013

Society for Research on Adolescence

American Public Health Association

UNIVERSITY SERVICE

Faculty Senate Executive Committee, Fall 2016-present

School of Nursing Promotion, Tenure and Evaluation Committee, 2015-present, chair beginning 2016

NDSU Research Council, appointed Fall 2015-present

FORWARD Steering Committee, NDSU, Fall 2015-present

Tapestry of Diverse Talents Selection Committee, NDSU, Fall 2015-present

Faculty Senate, NDSU, Fall 2015-present

Graduate Council, NDSU, Fall 2015-present

Faculty Grievance Special Review Committee, NDSU, appointed reviewer, Summer 2015

Curriculum Committee, MPH Program, Member, Spring 2015-present

Institutional Review Board, Human Subjects Protection, Alternate Member, NDSU, 2010-2016

Graduate Council, School of Nursing, NDSU, 2010-present

Provost Search Committee, Member, Fall 2013-Spring 2014
 School of Nursing Faculty Search Committee, Member, Fall 2011, Spring 2012, Spring 2014
 Health, Nutrition, and Exercise Science Faculty Search Committee, Member, Fall 2011
 Pharmacy Practice Faculty Search Committee, Member, Fall, 2011
 MPH Associate Director Search Committee, Member Fall 2014
 MPH Director Search Committee, Member, Spring/Summer 2011
 Co-Faculty Advisor, Public Health Student Association, NDSU, 2011-2013
 Assessment and Evaluation Committee (Co-Chair, 2011-Fall 2013), School of Nursing, NDSU, 2010-2014
 Adolescent Health Training Faculty Committee-Fellow/Student Representative,
 November, 2006-2009.
 Organization for Ph.D. Students in Nursing (OPSN), Member, 2003-2008

COMMUNITY SERVICE

Sanford Women's Comprehensive Health Clinic Community Advisory Board, member, 2017-present
 For the Good PERIOD, Programs Director, 2015-present
 Health and Wellness Coordinator, Lincoln Elementary PTA, 2013-present
 Faraja Family Resource Center Board of Directors, Chogoria, Kenya, 2013-present
 Planned Parenthood North Dakota Advisory Committee, *Chair beginning Fall 2011*, Winter 2011-present

REFEREE EXPERIENCE

Pharmacy Practice Seed Grant Reviewer, NDSU

- June, 2011
- November, 2010

Family Planning Grant Reviewer, State of Minnesota

- April, 2009
- May, 2007

Manuscript Peer Review

- Journal of Pediatric Health Care
- Journal of Pediatric Nursing
- Journal of Adolescent Health
- Nursing Research
- Culture, Health & Sexuality
- Journal of School Health
- Journal of Rural Health
- Public Health Nursing
- Sexual Health
- Sexuality Research & Social Policy
- Arthritis Care & Research
- SAHARA (Social Aspects of HIV/AIDS Research Alliance) Journal
- American Journal of Infection Control
- Journal of Adolescent Research

LICENSURE and CERTIFICATION

Registered Nurse, State of North Dakota, 2010 to present

Registered Nurse, State of Minnesota, 2001 to 2010

Public Health Nurse Certification, State of Minnesota, 2001 to 2010

Registered Nurse, State of Montana, 1999-2002

TRACY C. BARRETT
2416 W. Country Club Dr. S.
Fargo, ND 58103
(214) 585-3744
Tracy.Barrett@ndsu.edu

Experience:

North Dakota State University:	Associate Professor, 2013 - present Coordinator of Graduate Studies, 2011 - 2015 Assistant Professor, 2009 - 2013
Texas A&M University – Commerce	Visiting Assistant Professor, 2006 – 2009 Adjunct Faculty, 2003
Cornell University	Instructor, Freshman Writing Seminar Fall 2004 Graduate Teaching Assistant, 1999 - 2001
Frisco Independent School District (Texas), 1998	High School Substitute Teacher
AEON-Amity Corporation (Japan), 1996 - 1997	English Language Instructor
The Ohio State University, 1994 – 1996	Graduate Teaching Assistant
Retail Planning Associates (Ohio), 1994	Chinese Technical Translator
Beijing Shifan Daxue Fushu Zhongxue, 1993	English Language Instructor

Education:

Cornell University
Ph.D., History, 2007
M.A., History, 2001

Vietnamese Advanced Studies Institute, 1999
Intensive Vietnamese Immersion Course (Hanoi)

Southeast Asian Studies Summer Institute, 1998
Intensive Vietnamese Course

The Ohio State University
MA, History, 1996
MA, Chinese Literature and Linguistics, 1996

College of William and Mary
BA, East Asian Studies and History, 1994

Beijing Normal University, 1993
Certificate, Chinese Language (Mandarin)

Languages:

Fluency in English
General Proficiency in Mandarin Chinese, Vietnamese
Reading Fluency in French, Classical Chinese
Basic Skills in Nom (Classical Vietnamese), Japanese,
German

Awards:

NDSU President's Travel Grant
Advance Forward Travel Grant
Sponsored Programs Travel Grant
Knight Biggerstaff Fellow, Spring 2005
Luce Foundation ANU-SEAF Fellow, 2003-2004
Fulbright Fellow, 2002-3 (grant awarded in 2001-2)
FLAS Fellow, 2001-2
FLAS Fellow, 2000-1
Lam Family South China Research Travel Grant, 2000
SEAP Mario Einaudi Travel Grant, 2000
Fulbright Program Fellowship (VASI), Summer 1999
Sage Fellow, 1998-9
FLAS Fellow (SEASSI), Summer 1998
FLAS Fellow, 1995-6

Scholarship:

Books:

The Chinese Diaspora in Southeast Asia: The Overseas Chinese in Indochina. London:
I.B. Tauris Press, 2012.

Research Articles and Essays:

“The Curious Case of Victor Stanwood: Politics, Race, and Murder on the East African Coast, 1878-1895” (under review)

“Chinese Entrepreneurship in Colonial Java and Malaya,” *Bijdragen tot de taal-, land- en volkenkunde (Journal of the Humanities and Social Sciences of Southeast Asia)* 171 (2015): 1 – 8.

“A Geography of Hierarchies: A Skinnerian model of Indochina's Overseas Chinese Congregation and its Influences on French Colonialism,” *Frontiers of History in China* 10, no. 1 (2015): 74-95.

“Teaching East and Southeast Asia through Asian Eyes” *ASIANetwork Exchange: A Journal for Asian Studies in the Liberal Arts* 21:2 (2014): 36-44.

“A Bulwark Never Failing: The Evolution of Overseas Chinese Education in French Indochina, 1900 – 1954” in Sherman Cochran and Paul Pickowicz, eds, *China on*

the Margins Cornell East Asia Series No. 146 (Ithaca, NY: Cornell East Asia Program, 2010) 221-242.

PhD Dissertation: *Transnational Webs: Overseas Chinese Economic and Political Networks in French Indochina, 1870 – 1945* (2007)

Selected Book Reviews:

Barrett, Tracy C. Review of *Southeast Asian Personalities of Chinese Descent: A Biographical Dictionary*. 2 vols. Singapore: ISEAS Publishing, 2012. Edited by Leo Suryadinata. *Bijdragen tot de taal-, land- en volkenkunde (Journal of the Humanities and Social Sciences of Southeast Asia)* 170:1 (2014): 165 –167.

Barrett, Tracy C. Review of *Vietnam and the West: New Approaches*. Studies on Southeast Asia; 52. Ithaca, NY: Southeast Asia Program Publications, Cornell University, 2010. Edited by Wynn Wilcox. *Pacific Affairs*, 85:3 (2012): 670-672.

Robert W. Strayer, *The Ways of the World: A Brief Global History with Sources*. Boston: Bedford St Martin's, (2011) for *The Middle Ground* world history journal

Conference Participation:

Association for Asian Studies in Africa (A-Asia) Inaugural Conference: Asian Studies in Africa: Challenges and Prospects of a New Axis of Intellectual Interactions, Accra, Ghana: September 2015: “*Structures of Colonial Control: Confronting the Chinese in Madagascar*”

World History Association Vietnam Symposium, Hanoi, Vietnam, December 2013: “*Colonial Templates: The Overseas Chinese and Colonial Patterns of Control in French Madagascar*”

Association of Asian Studies Annual Conference, San Diego, CA, March 2013: “*‘Macro regions’ On the Margin: A Skinnerian model of Indochina's Overseas Chinese Congregation and its Influence on French Colonialism.*”

NDSU Department of History, Philosophy, and Religious Studies Brown Bag Series, Fargo, ND, March 2013: “*The Curious Case of Victor Stanwood: Politics, Race, and Murder on the East African Coast, 1878-1895*”

American Historical Association Annual Meeting, New Orleans, LA, January 2012: “*Lost in Translation: Redefining Identity in Colonial Southeast Asia*”

American Historical Association Annual Meeting, Chicago, IL, January 2012: “*Teaching Southeast Asia through Southeast Asian Eyes*”
Panel Chair and Presenter.

- French Colonial Historical Society Annual Conference, Toronto, CA, June 2011:
“*Colonial Templates: Confronting the Chinese in Madagascar*”
- Association for Asian Studies Annual Meeting, Honolulu, HI, April 2011: “*On Shifting Sands: Political Interactions along the Sino-Tonkinese Frontier, 1903–1930*”
Panel Organizer, Panel Chair, and Presenter.
- 6th Galway Conference on Colonialism: Education and Empire, Galway, Ireland, June 2010: “*Learning Resistance: Revolution and Anticolonialism in Tonkin, 1903–1908*”
- Association for Asian Studies Annual Meeting, Chicago, IL, April 2009: “*Enemies of the Fatherland: The Politics of Deportation and Repatriation in Colonial Tonkin, 1900–1911*” Panel Organizer, Panel Chair, and Presenter.
- Phi Alpha Theta Regional Conference, Texas Wesleyan University, Fort Worth, TX, April 2008: *Newspapers and Reporting History*. Panel Chair and Discussant; Conference Judge.
- Association for Asian Studies Annual Meeting, Atlanta, GA, Mar 2008: *Heroism, Nostalgia, and Memorial: China and Vietnam’s Contested and Collaborative Terrains in the 20th Century*. Panel Discussant
- World History Association of Texas Conference, St. Edwards University, Austin, TX, February 2008: *From Commerce, Texas to Kathmandu: Teaching World History in Rural East Texas*. Roundtable Organizer and Participant.
- Phi Alpha Theta Regional Conference, West Texas A&M University, Canyon, TX, January 2008: *History and Memory*. Panel Chair and Discussant; Conference Judge.
- University of California at San Diego Chinese History Workshop, San Diego, CA, June 2007: “*A Bulwark Never Failing: The Evolution of Overseas Chinese Education in French Indochina, 1900–1954*”
- Association for Asian Studies Annual Meeting, Boston, MA, Mar 2007: “*The Rise of Chinese Labor Organizations in Cochinchina in the 1920’s and 1930’s*”
- Water Frontiers Workshop, Phuket, Thailand, Feb 2006: “*Chinese Secret Societies in the Mekong Delta, 1860-1910*”
- VSS Conference, Canberra, Australia, Feb 2004: “*Storms of Fortune: The Bankruptcy of Cholon’s Ly Family, 1871-1913*”
- NYCAS Conference, Geneva, NY, Oct 1999: “*King Vajiravudh’s The Jews of the Orient: Certain Questions of Contextualization*”

Invited Lectures:

University of North Dakota History Department Lunch Speaker Series, Grand Forks, ND, November 2011: “*Cast in Colonial Mold: Governing the Overseas Chinese in French Madagascar*”

USDA Biosciences Research Laboratory Diversity Awareness and Outreach Committee Seminar, Fargo, ND, May 2010: “*Pirates, Secret Societies, and Revolutionaries: Perspectives on the Chinese in French Indochina*”

NDSU Science, Religion, and Lunch Seminar, Fargo, ND, March 2010: “*Portable Pantheons: The Malleability of Traditional Cult Practices in Overseas Chinese Religion*”

Inaugural Session, Texas A&M University - Commerce History Department Faculty Research Colloquium, 2007: “*A Bulwark Never Failing: The Evolution of Overseas Chinese Education in French Indochina, 1900 – 1954*”

Vietnam Focus Film Series 2006, Commerce, TX. Moderator: “*Graham Greene’s The Quiet American: Fact or Fiction?*”

RSPAS Seminar Series 2004, Canberra, Australia. Seminar: “*Elections and the Electoral Process in French Indochina’s Chinese Congrégations, 1870-1945*”

University Service: AHSS PTE Committee, 2015-present
NDSU Provost’s PTE Committee, 2015-2016
Chair, AHSS Faculty Awards and Recognition Committee, 2016-present
International Studies Major Advisory Board, 2009-present
Cooperative Sponsorship Committee, 2015-present
Faculty Senator, AHSS, 2012-2015
History Program, Coordinator of Graduate Studies, 2011 - 2015

Courses Taught:

History 121: US History to 1877
History 122: US History from 1877 to the Present
History 161: A Tale of Two Cities: Two Hundred Years in Shanghai and Singapore
History 265: Mass Murder: Genocide and State Terror in the 20th Century
History 280: Premodern East Asia to 1600
History 281: Modern East Asia from 1600
History 480: History of Modern China
History 481: History of Japan
History 482: Vietnam: 125 Years of Conflict
History 485: World History from 1200 to the Present

History 489: Senior Capstone Research Seminar
History 496: History of Modern Southeast Asia
History 499: War and Memory in the Pacific
History 780: Readings in Global History
History 799: Problems in Modern Chinese Historiography
History 799: Novel Histories: Southeast Asian History
through Literary Eyes (also previously taught
online)

Associations:

Fulbright Association
Association of Asian Studies
American Historical Association
French Colonial Historical Association
Phi Alpha Theta History Honors Society