



August 16 | 2022

NEW FACULTY ORIENTATION

NDSU NORTH DAKOTA
STATE UNIVERSITY

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A message from President Cook

Welcome to North Dakota State University, an exceptional institution of higher learning. You'll discover that this is an incredible place; widely known as a student-focused, land-grant, research university.

NDSU is proud to be an R1 research institution as defined by the Carnegie Classification of Institutions of Higher Education. R1 is the top Carnegie status and is only presented to the top research institutions in the country that have a high level of research expenditures and produce doctoral graduates across a balanced portfolio of disciplines. With more than \$155 million in research expenditures in fiscal 2020 alone, NDSU ranks 97 among 415 public universities by the National Science Foundation's Higher Education Research and Development Survey.

We have a strong national and international presence – students come from around the globe to receive a quality education at an affordable price. In fall 2021, NDSU had 12,461 students enrolled in its undergraduate, professional and graduate programs. Of that number, a total of 684 international students from 73 countries are enrolled at NDSU, and we have 1,962 graduate students. Our student-to-faculty ratio was 16 to 1 for the 2021-2022 academic year.

NDSU has more than 100 buildings on campus, eight major research and Extension centers throughout the state, and Extension programs in every county of North Dakota. Our outstanding facilities include the new Sugihara Hall, a 104,825-square-foot laboratory-intensive structure, and the A. Glenn Hill Center, a state-of-the-art building focused on science, technology, engineering and mathematics.

NDSU has a major presence in Fargo's historic and vibrant downtown. Architecture and landscape architecture programs are taught in Renaissance Hall and Klai Hall; Renaissance Hall also is home to the visual arts department; and Richard H. Barry Hall houses the College of Business and Department of Agribusiness and Applied Economics.

In addition, our successful Research and Technology Park continues to conduct leading research that helps create new technologies, businesses and jobs.

The North Dakota Agricultural Experiment Station and NDSU Extension Service are vital parts of the university, and NDSU is firmly committed to its land-grant traditions. NDSU also participates in the Tri-College University consortium with neighboring Minnesota State University Moorhead, Concordia College, Minnesota State Community and Technical College, and North Dakota State College of Science.

NDSU has earned a reputation for excellence in education, research and service. Our more than 96,000 living alumni will attest that NDSU has a positive and lasting impact on the lives of students and the economic prosperity of our state, region and nation.

Thank you for joining us. You make NDSU even stronger.

Sincerely,

David Cook
NDSU President

For information on Benefits see presentation (~30 minutes):

https://drive.google.com/file/d/1JYKbYBH4w5j6k_Eumpv3UKrLEd86gpSN/view?usp=sharing

For hiring, benefits, and immigration related questions contact:

- Academic Personnel Appointments (Angela.Fowler@ndsu.edu, 231-7150)
- Human Resources (Kristina.Astrup@ndsu.edu, 231-8965)
- Faculty Immigration (Tabitha.Thomas@ndsu.edu, 231-8052)
- Faculty Diversity and Development (Julie.Nash@ndsu.edu, 231-6653)

8/3/2022

Tuesday, August 16 – Orientation for New Faculty	
8:00 a.m. – 4:30 p.m. All sessions will be held in AGHILL 300, unless otherwise noted.	
8:00 a.m.	<i>Registration. Morning refreshments provided.</i>
8:00 a.m.	Optional Q&A with HR, Immigration, Office of the Provost/Faculty Affairs staff.
8:30 a.m.	Welcome Remarks. Faculty Orientation and Mentoring Activities for New Faculty. Positive, Supportive, Equitable, Accessible, and Inclusive Campus. Vice Provost Canan Bilen-Green, Warren Christianson (Physics), Kristine Paranica (Ombud), Mark Coppin (Disability Services), Kaelen Napoleon (Office of Multicultural Programs), Stacy Duffield (Office of Teaching and Learning).
9:50 a.m.	<i>Break. Refreshments provided.</i>
10:00 a.m.	Introduction to Instructional Tools. A brief overview of Blackboard; Ultra Base Navigation (UBN), creating announcements, sending emails, and uploading content such as your syllabus. The LAIC staff will also demonstrate where to log into other tools such as YuJa, Echo360 (formerly known as TurningPoint), Zoom, and Blackboard Collaborate.
10:30 a.m.	Getting Started: Research and Grants at NDSU. Sheri Anderson (Research Development) and Val Kettner (Sponsored Programs). Introduction to the resources available and the processes necessary to get started with research and grants at NDSU. Topics covered include finding funding opportunities, proposal development support, the proposal process, resources on the web and a basic introduction to Novelution, NDSU's electronic research administration system.
10:55 a.m.	<i>Break</i>
11:00 a.m.	Faculty Luncheon. Things I Wish I Had Known My First Year. This panel discussion will provide insights into faculty life and help new faculty members navigate successfully their first year at NDSU. Torin Greenwood (Science & Math), Lisa Richter (Health Professions), Jessica Danielson (HSE), Jessica Vold (Engineering). David Westerman (AHSS) will facilitate the panel discussion. AGHILL 334 (Lunch provided)
12:20 p.m.	<i>Break</i>
12:30 p.m.	Mandatory EO/Title IX Training. <i>Heather Higgins-Dochtermann (EO/Title IX).</i> This interactive training session covers the basics of Title IX and Equal Opportunity policies at NDSU, including prevention strategies, recognizing a policy violation, and what to do if someone reports a violation. This in-person training is required every three years. (90 minutes)
2:00 p.m.	<i>Break</i>
2:15 p.m.	Academic Policies and Resources for Teaching, Advising & Research. <i>Canan Bilen-Green</i>
3:15 p.m.	Networking and Mentoring Event with NDSU President and Provost. Most Things in Common w/ Professors Jess Jung and Alan Denton. Alumni Center (Refreshments provided)

Wednesday, August 17 – New & Returning Faculty Professional Development Conference 8:30 a.m. – 5:00 p.m.	
<i>Sessions for new faculty. Full schedule available at https://www.ndsu.edu/facultyaffairs/faculty_development/annual_faculty_conference_1/.</i>	
September 9 – New Faculty Orientation, Meeting with Provost Fitzgerald	
9 a.m.	Provost’s Coffee for New Faculty (Peace Garden). <i>(60 minutes, registration requested; space is limited.)</i>
September 12 – New Faculty Orientation, Meeting with President Cook	
9 a.m.	President’s Coffee for New Faculty (TBD). <i>(60 minutes, registration requested; space is limited.)</i>
September 22 – Mentoring/Networking Event for New Faculty <i>(60 minutes, registration requested)</i>	
3:30 p.m.	Q&A with New and Senior Faculty (Meadow Lark).
October 6 – Mentoring/Networking Event for New Faculty <i>(60 minutes, registration requested)</i>	
3:30 p.m.	Q&A with New and Senior Faculty (Meadow Lark).
October 20 – Mentoring/Networking Event for New Faculty <i>(60 minutes, registration requested)</i>	
3:30 p.m.	Q&A with New and Senior Faculty (Meadow Lark).
November 4 or November 5 – Promotion, Tenure, Evaluation (PTE) <i>(attend one session, 60 minutes, registration requested)</i>	
Thursday, November 3	
3:30 p.m.	New Faculty PTE Information Session (MU Nueta)
Friday, November 4	
2:00 p.m.	New Faculty PTE Information Session (MU Nueta)

UNIVERSITY GOVERNMENT

1. **Constitution.** The University's Constitution provides a framework within which the faculty functions to determine, subject to presidential and Board acceptance, University-wide policies and regulations in the areas of resident instruction, research, and extension. The Constitution is found on the Faculty Senate's webpage.
2. **Faculty Senate.** The Constitution provides for a Senate as the legislative body of the University with an elected member as its president. The Senate meets on the second Monday of each month of the academic year. The By-laws provide for establishing standing University committees and subcommittees and standing committees within each college.
3. **Staff Senate.** The Staff Senate is an elected body of classified employees proportionally representing all the employee classification groups. Members are elected each May and serve specific terms ranging from one to two years. Senate meetings are held the second Wednesday of every month.
4. **Student Government.** Student Government works to represent and advocate for the diverse student body of NDSU. Activities include allocating Student Activity Fee, providing programs for students, engaging with state officials, and passing legislation that students deem necessary.
5. **Graduate Council.** The graduate council is responsible for formulating, reviewing, disseminating, and monitoring the implementation of policies and procedures concerning graduate education.

ACADEMIC ORGANIZATION

1. **Resident Instruction.** North Dakota State University consists of eight academic units with the following departments:
 - a. **The College of Agriculture, Food Systems, and Natural Resources:** Agribusiness and Applied Economics; Agricultural and Biosystems Engineering; Animal Sciences; Microbiological Sciences; Plant Pathology; Plant Sciences; and School of Natural Resource Sciences.
 - b. **The College of Business:** Accounting and Information Systems; Management and Marketing; Transportation, Logistics, and Finance.
 - c. **The College of Engineering:** Aerospace Studies; Agricultural and Biosystems Engineering; Civil, Construction, and Environmental Engineering; Computer Science; Electrical and Computer Engineering; Industrial and Manufacturing Engineering; and Mechanical Engineering; and Military Science.
 - d. **The College of Human Science and Education:** Apparel, Merchandising, Interior Design, and Hospitality Management; Health, Nutrition, and Exercise Sciences; Human Development and Family Science; and School of Education.
 - e. **The College of Arts, Humanities and Social Sciences:** Challey School of Music; Communication; Criminal Justice; Emergency Management and Disaster Science; English; History, Philosophy, and Religious Studies; Modern Languages; Political Science and Public Policy; School of Design, Architecture + Art; Sociology and Anthropology; Theatre Arts; Visual Arts; and Women and Gender Studies.
 - f. **The College of Health Professionals:** Allied Sciences; Public Health; School of Nursing; and School of Pharmacy.
 - g. **The College of Science and Mathematics:** Biological Sciences; Chemistry and Biochemistry; Coatings and Polymeric Materials; Earth, Environmental and Geospatial Sciences; Mathematics; Physics; Psychology; and Statistics.
 - h. **The College of Graduate and Interdisciplinary Studies** administers the advanced degree offerings of all departments of the participating colleges. The graduate faculty of NDSU consists of those individuals holding the rank of assistant, associate, or full professor. Graduate faculty teach graduate courses; advise graduate students; serve on and chair advisory, supervisory, and examination committees; direct graduate disquisitions; and participate in graduate governance through voting in assembly and representing their departments or programs on the Graduate Council.
2. **Agricultural Experiment Station.** The Agricultural Experiment Station was established under provisions of the Hatch Act of 1887 and authorized in 1890 by the first state legislature. Administrative and research costs are state and federal appropriations, grants, gifts, fees, and sales. In addition to the Main Station in Fargo, research centers are maintained in Carrington, Dickinson, Hettinger, Langdon, Mandan, Minot, Streeter, and Williston. An agronomy seed farm is located in Casselton. Many staff members have joint College of AFSNR and Experiment Station appointments.
3. **Extension Service.** The North Dakota State University Extension Service assists in delivery of information to the citizens of North Dakota and surrounding region. The NDSU Extension Service is the public service arm of North Dakota's Land Grant University. It is charged with fulfilling the lifelong learning needs of the state's citizens. This is accomplished by delivering information through its research-supported and knowledge-based educational efforts. These programs are delivered via a network of county, area, and state staff dedicated to servicing targeted issues and concerns identified by its grassroots advisors. NDSU's Extension Service operates under the provisions of the Smith-Lever Act of 1914 and supplementary state legislation.
4. **Institutes and Centers.** The various institutes and centers act to facilitate specialized missions and projects by taking advantage of the unique setting of the University. A list of centers and institutes is available at https://www.ndsu.edu/research/about_rca/ndsu_centers_and_institutes/.

Faculty Senate Constitution

Article I: Preamble

Section 1.

The administration and faculty of North Dakota State University share responsibility for governance and effective management of the academic affairs of the University. In addition, shared governance mandates involving stakeholders in all aspects of the University mission. As such, faculty, staff, and students exercise this responsibility in their respective domains. To this end, the faculty accepts the responsibility of crafting, reviewing, and approving policies concerning the Academic and Extension missions of NDSU.

Article II: Responsibilities

Section 1.

The Faculty Senate is the University's legislative body responsible for the review and approval of policy with respect to the following matters:

- a. Academic freedom, including rights and responsibilities
- b. All curricular matters, including establishment, dissolution, and substantial changes to degree programs
- c. Research and scholarship
- d. Admissions standards and prerequisites
- e. Requirements for regular certificates and degrees
- f. Regulations regarding attendance, examinations, grading, scholastic standing, and honors
- g. Teaching quality
- h. Professional standards and criteria for positions accorded academic rank
- i. Policies and procedures for promotion, tenure, and evaluation
- j. And other academic matters

Section 2.

The Faculty Senate will also review, recommend, and participate in the formulation and exercise of policy with regard to:

- a. Institutional priorities
- b. The allocation of institutional resources
- c. Academic organization
- d. Administrative procedures and organizational structure
- e. Appointment and promotion of administrators
- f. Issues related to intellectual property
- g. Honorary degrees
- h. Other matters of interest to the faculty

Article III: Membership

Section 1.

Membership in the Faculty Senate consists of elected representatives from non-administrative, half-time or greater appointments from the following groups: faculty who hold the academic rank of professor, associate professor, assistant professor, professor of practice, senior lecturer, instructor, or research faculty.

Section 2.

The following, whether full or part time or interim, are considered administrative positions: Chair/Head/or equivalent, Assistant/Associate Dean, Dean, Vice President, Assistant/Associate Vice President, Provost, and President.

Article IV: Amendments

Section 1.

Amendments to the Constitution may be proposed by the Senate or by a petition signed by twenty-five percent of the faculty. The Secretary of the Senate will distribute the proposed amendment to all faculty no later than nine days after the amendment is submitted for approval.

Section 2.

No later than thirty days nor earlier than seven days after the amendment is distributed, the faculty shall vote by secure electronic ballot on the proposed changes. If approved by two-thirds of the ballots cast, the change will be submitted to the University President for concurrence and then forwarded to the North Dakota State Board of Higher Education for consideration.

Section 3.

When approved by the North Dakota State Board of Higher Education, the changes shall become effective immediately.

The policies listed below are available electronically at <http://www.ndsu.edu/policy>. Alternative formats are available upon request (see website for more information).

PROFESSIONAL RESPONSIBILITIES POLICIES

Policy # Policy Name

326	Academic Misconduct
158	Acceptable Use of Electronic Communication Devices
155	Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees
151	Code of Conduct (includes Conflict of Interest, anti-Bullying)
162.1	Consensual Relationships
100	Equal Opportunity and Non-Discrimination Policy
103	Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings
152	External Professional Activities
320	Faculty Obligations and Time Requirements
159	Injury Claims Against NDSU and State Risk Financing
152.2	Membership in Professional and Service Organizations
100.1	Nondiscrimination on the Basis of Disabilities and Reasonable Accommodation
160	Political Activities and Voting Rights of University Employees
718	Public/Open/Restricted Records
168	Reasonable Accommodation on the Basis of Disability – Guidelines for Employee Requests
180	Separation Procedure
321	Service
700	Service and Facilities Usage
156	Discrimination, Harassment, and Retaliation Complaint Procedures
156. 1	Title IX Complaint Procedures
162	Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Policy
153	Smoke-Free Facilities
700.2	Taking Equipment Off-Campus

ACADEMIC FREEDOM, PROMOTION, TENURE, ANNUAL EVALUATION POLICIES

Policy # Policy Name

325	Academic Freedom
350.1	Board Regulations on Academic Freedom and Tenure; Academic Appointments
350.4	Board Regulations on Hearings and Appeals
350.3	Board Regulations on Nonrenewal, Termination or Dismissal of Faculty
350.2	Board Regulations on Standing Committee on Faculty Rights
327	Evaluation of Academic Administrators
353	Grievances – Faculty
352	Promotion, Tenure, and Evaluation

POLICIES RELATED TO INSTRUCTION

Policy # Policy Name

332	Assessment of Teaching
333	Class Attendance Policy
331	Classroom Assignments, Class Lists, and Instructor Initiated Drop Policy
335	Code of Academic Responsibility and Conduct
331.1	Course Syllabus
336	Examinations and Grading
337	Grade Appeals Board
606	Guidelines for Student Requests for Reasonable Accommodation

331.2	Instructors and Students as Family/Household Members
339	NDSU Policy on Communication Proficiency
338	Scheduling of Classrooms
323	Selection of Textbooks and Other Curricular Materials
330	Student Advising and Counseling
334	Student Travel Policy (formerly titled Field Trips)

POLICIES RELATED TO RESEARCH

Policy # Policy Name

805	Allowable Cost Policies – Compensation for Personal Services
806	Allowable Cost Policies - Summer Salary for Faculty and Staff
807	Allowable Cost Policies – Overtime Payments Sponsored Agreements
346	Animal Welfare
344	Classified Research
343	Confidential Proprietary Information
152	External Professional Activities
151.1	External Activities and Conflicts of Interest
823	Financial Conflict of Interest – Public Health Services Sponsored Research, National Science Foundation or Other Applicable Sponsored Research
345	Research Involving Human Participants
166	University Health and Safety Policy

POLICIES RELATED TO BENEFITS

COMPENSATION-RELATED POLICIES

Policy # Policy Name

310	Base Salary
360	Early Retirement
361	Emeritus Titles
165	Employee Suggestion Incentive Program
134	Faculty/Staff Assistance (short term counseling)
137	Holidays
138	Insurance Benefits
170	Payment of Meals for Staff and Guests
311	Summer Session Teaching Salary
515	Travel – Employees

LEAVE OPTIONS

Policy # Policy Name

313	Annual Leave and Sick Leave (12-month faculty)
132	Developmental Leave
320	Faculty Obligations and Time Requirements
135	Family Medical Leave
147	Leave Sharing Program (12-month faculty)
139	Leave with Pay
149	Leave Without Pay
146	Military Leave
141	Retirement Services
182	Severance Pay Policy (Reduction in Force)
143	Sick/Dependent Leave (12-month faculty)
145	Unemployment Coverage
144	Worker's Compensation

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SECTION 320

FACULTY OBLIGATIONS AND TIME REQUIREMENTS

SOURCE: NDSU President

1. Basic Obligations

Regular faculty appointments carry those responsibilities and privileges traditionally identified with academic positions. While a minimum of specific restrictions are imposed on the activities of a faculty member, they are under obligation to render to the University the most effective service of which they are capable. Moreover, they are expected to increase their depth and range of competency with increased length of service. All members of the faculty have a responsibility to develop their professional proficiency.

Faculty member obligations fall into these four broad areas: 1) academic instruction, 2) research and other scholarly activities, 3) administrative and related duties, and 4) professional service to communities. Primary responsibilities for most appointees include the functions of teaching and research.

These broad statements of faculty responsibility mean that faculty members are accountable to the University during the term of their appointment (including summer school appointments) for all necessary or appropriate teaching, research, administrative, and service obligations. More specifically, this means that faculty members are obligated to meet all their scheduled classes, to schedule and be available for a reasonable amount of consultation hours in their office, and to attend scheduled meetings that are related to their professional obligations.

2. Office Hours

Faculty members are considered professional personnel responsible for accomplishing the tasks for which they are employed. Faculty members are responsible for making time available for student conferences and are expected to post a listing of office hours.

3. Annual Leave

While nine-month faculty members thus have considerable flexibility in scheduling and fulfilling these professional obligations, they should not regard as automatic vacations all those periods when University classes are in recess. It should be clearly understood that there is no formal **annual leave** policy established for faculty whose regular term of employment is less than 12 months either by the State Board of Higher Education or by the University, other than the obvious fact that all faculty members are entitled to take the holidays defined by the State of North Dakota for state institutions. This should not be interpreted to mean that nine-month faculty members are obligated to work from 8:00 AM to 5:00 PM on all other days of the academic year, just as it would be inappropriate to assume that faculty members are excused from all academic responsibilities during the breaks provided for students. Instead, the guiding principle should be the more flexible requirement of professional obligation and accountability referred to above.

4. Sick Leave

This same philosophy prevails at NDSU with regard to sick leave for faculty whose regular term of appointment is less than 12 months. Although there is no formal sick leave policy or provision for such faculty, the understanding is that they have the opportunity to reschedule their commitments or make appropriate voluntary arrangements with their colleagues during times when sickness makes it impossible or unwise for them to meet their professional obligations. This does not guarantee any certain amount of paid sick leave hours or days to faculty members whose regular term of appointment is less than 12 months, but the flexibility it provides seems to meet the needs of most faculty members. Where extended illness or disability is involved, however, the amount of such informal sick leave shall be limited to a maximum of two weeks for each year of academic service to NDSU, unless an exception is approved by the Provost. In any event, the University's TIAA-CREF disability insurance provides salary benefits after six months of disability.

5. Childbearing Leave

Academic appointees (tenured and tenure-track faculty, professors of practice, and senior lecturers) with less than twelve-month appointments who give birth are eligible for childbearing leave during the period of medical disability. This is a temporary leave from all duties without reduction in pay during the time the faculty member is temporarily disabled because of pregnancy and childbirth. Childbearing leave begins on the actual delivery date and ends six weeks after (including university breaks), although individual circumstances may require extending this period. Any extension beyond six weeks (before and after delivery) shall require medical certification from the attending physician or midwife and is approved by the Provost. Unpaid leave that extends beyond the period of medical disability is available through FMLA. Eligibility for childbearing leave begins upon hiring.

6. Modified Duties

- 6.1. Who is eligible: An academic appointee (tenured and tenure-track faculty, professors of practice, and senior lecturers) who 1) becomes a parent through childbirth, adoption, or foster placement of a child (as defined by the Family Medical Leave Act (FMLA); 2) has a health condition that makes them unable to perform their regular duties but does not necessitate a reduction in workload; or 3) who will be caring for a child, spouse/partner or parent who has a serious health condition (as defined by FMLA). Additional modifications for longer-term conditions may be made in accordance with the Americans with Disabilities Act and NDSU Policy 100.1.
- 6.2. Definition: "Modified duties" means a change to duties and goals without reduction of salary for a limited period of time. A person taking "modified duties" will still be at a 100% workload and 100% salary; however the nature of the responsibilities for this time period will be adjusted. Modified duties will include a revision of workload for up to the equivalent of a semester (e.g., release from or reassignment of teaching courses, committee assignments, advising, or alteration of research duties). When a period of modified duties immediately follows childbearing leave, the modified duties may be extended to the end of a semester to accommodate teaching schedules as necessary. Modified duties must conclude within 12 months of a birth or adoption.
- 6.3. Process: Modified duties, goals, and duration will be negotiated by the individual requesting modified duties with the department chair/head and approved by the dean. If agreement

cannot be reached between the faculty member, the department chair/head, and the dean, the negotiation will advance to the Provost.

- 6.4. Performance evaluation: Faculty members who use the modification of duties and goals must still submit an annual report when it is due in their department. The time period in which duties were modified, as well as the specific modifications in place, must be included in the annual report. The report must also include the agreed upon goals and a statement about how those goals were accomplished, but must not disclose confidential medical information. Those reviewing and evaluating the document should take this into account and adjust expectations accordingly. Acceptance of modified duties does not change the candidate's responsibility for meeting the department's PTE standards by the end of the probationary period, whether that period has been extended or not. A period of modified duties is not a necessary condition for an extension of the tenure probationary period. A period of modified duties also does not require that the individual extend the tenure probationary period.

HISTORY:

New	November 28, 1989
Amended	January 1998
Amended	December 2002
Amended	October 2007
Amended	April 25, 2012

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SECTION 325

ACADEMIC FREEDOM

SOURCE: SBHE Policy Manual, Section 401.1

1. *General principles:* The primary responsibility of the academic community is to provide for the enrichment of intellectual experience. Essential to the realization of this ideal is a free and open academic community, which takes no ideological or policy position itself. However, the responsible academic community welcomes those who do take such positions and guards, with vigilance, their right to do so. Thus, its meaningful pursuit of truth requires the academic community to be tolerant of disparate thinking and hospitable, even to closed minds. It must further welcome the conflict of ideas likely to ensue. Academic freedom provides a safe haven for the expression of diverse points of view by faculty, students and guests of the University, free from interference by administrators, SBHE members or other government officials.
2. *Faculty:* Members of the faculty are as entitled as any other member of the community in which they live to establish membership in voluntary groups, to seek or hold public office, to interact with their elected officials, to express their opinions as individuals on public questions and to take action in accordance with their views. Cognizant of their responsibilities to their profession and to their institution, faculty accept certain obligations; they should attempt to be accurate, to exercise sound judgment and to respect the right of others to express opinions. They must make clear that their actions, statements and memberships do not necessarily represent the views of either NDSU, or the ND University System. If there are controls to be exercised over faculty members, they are the controls of personal integrity and the judgment of their colleagues.
 - a. *Research and creative activities:* Members of the faculty have full freedom to pursue their research and/or creative activities and to publish their results, free from ridicule, recrimination, or reprisal by colleagues, administrators, SBHE members or other government officials. They are free to involve interested students and other professionals in their University research and to pursue extramural funding to support it.
 - b. *Instruction:* Faculty are entitled to freedom in teaching their assigned courses. That freedom includes, but is not limited to, design of pedagogical approach, selection and delivery of course content and reference materials beyond what is considered baseline in their degree program(s). Freedom further extends to conducting of class meetings and demonstrations, creating assignments and examinations to assess student performance, and assigning grades.
3. *Students:* Academic freedom affords students the right to be taught by instructors who are unconstrained by institutional and governmental political forces and to have access to all views and information pertinent to their subjects of study. They have the right to the widest possible latitude in selecting their plan of study and their instructors. Moreover, they have a right to intellectual disagreement with their instructors and classmates, and to question them without fear of ridicule, recrimination or reprisal. Academic freedom does not afford students the right of protection from exposure to ideas or points of view divergent from their own, even if they find them repugnant or offensive. Students are entitled to seek the publication of their views, to seek membership in groups, to seek or hold public office, and to take lawful action in accordance with their views. During academic discourse, students are responsible for being informed and respectful of others.

They are further responsible to make clear that their actions, memberships and statements represent neither the views of NDSU, nor the ND University System.

4. *Guest speakers, movies, theatrical presentations, exhibits and other programs:* Adherence to the tenets of academic freedom precludes colleges and universities from denying persons or organizations, even those with whom its students, faculty, administrators or SBHE members may disagree, the right to freedom of expression. Particularly pertinent to this issue is the above assertion that a free and open academic community takes no ideological or policy position itself. Accordingly, the university must not enact explicit policy or act upon any implicit policy that extends the right of freedom of expression to some persons while denying it to others, as this would place the institution in the position of aligning itself ideologically with the past record and views of those who are permitted to present or perform. Therefore, guest speakers, performers, or programs may be presented under the sponsorship of any duly recognized NDSU student, faculty, or administrative organization or any individual officer of instruction, regardless of the views they promote. The speaker must, to the most reasonable extent possible, be extended the courtesy of an uninterrupted presentation. Except for ceremonial occasions, such as graduation addresses and facility dedications, questions must be permitted from the floor after the presentation. Speakers must accept, as condition of their appearance, the right of their audience to question or challenge statements made in their address. They must further accept their responsibility to promptly address those questions and statements. The invitation or scheduling of such an event must represent the desire of the institutional sponsor and not the will of external individuals or organizations. The sponsor must establish full responsibility for the program and should help to make clear that the views expressed in an address or performance do not necessarily represent those of NDSU or the ND University System.

HISTORY:

New	May 11 1984
Amended	April 1992
Amended	December 2, 2016

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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. Failure to meet this responsibility should be noted in periodic reviews of teaching, research, and service and may be addressed through the enforcement of other NDSU policies, such as Policy 151 Code of Conduct and Policy 326 Academic Misconduct. 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 Colleges are responsible for ensuring that promotion and tenure evaluation criteria be aligned with official position descriptions.
- 1.4 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** Consistent with NDSU Policy 332 Assessment of Teaching, 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 (note that student ratings of instruction, by themselves, are insufficient evidence of teaching effectiveness);
 - 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 dissemination of scholarly or professional papers, and publication of books, book chapters 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 contributions to the 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 public or private organizations, boards, and agencies;
 - 2.2.3.2.9 contributions to NDSU's Land Grant mission.
- 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.

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.

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 As part of its statement on promotion, tenure, post-tenure review, and evaluation, each academic unit shall establish the criteria for promotion and tenure, including early promotion, and shall establish the minimum timeline for promotion from Associate Professor to Professor.

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

- 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 service with full voting rights on a college or department PTE Committee. When reviewing applications for promotion of Professors of Practice or Research Professors, PTE committees are encouraged to solicit advisory input from Associate/Full Professors of Practice or Research Professors. If allowed by department and college policies, PTE committees may include representation from Associate/Full Professors of Practice or Research Professors holding terminal degrees. Voting rights for Professors of Practice or Research Professors on applications for promotion shall be determined by the respective colleges or departments. Only in cases where unit policy allows can Professors of Practice or Research Professors who hold positions in the evaluating unit have voting rights on applications for promotion of Professors of Practice or Research Professors, respectively.
- 5.3 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. Nonadministrative 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 department and college policies.
- 5.4 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.
- 5.5 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.
- 5.6 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.

Conflicts of interest must be identified and resolved as soon as they are recognized, but no later than the start of the departmental PTE committee's review of a candidate's portfolio. Conflicts of interest may be identified by the candidate or anyone participating in the PTE review process for that candidate. Any individuals evaluating that candidate may voluntarily recuse themselves from the PTE process. A conflict of interest that would lead to involuntary recusal will be resolved by the Standing Committee on Faculty Rights (SCOFR). In such a case, the PTE process will be suspended until the conflict of interest is resolved. Every effort will be made to complete the review in the same academic year that the portfolio was submitted. If a delay exceeds 60 days, the candidate may request an altered timeline for consideration and approval by the Provost.

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 must 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 according to the PTE Timeline published by the Office of the Provost: <https://www.ndsu.edu/facultyaffairs/pte/>
- 6.2 In the absence of an approved extension, faculty who do not submit a tenure portfolio during their final probationary year, or who withdraw a submitted tenure portfolio, shall receive a one-year terminal contract for the following year. Only the candidate may withdraw a submitted tenure or promotion portfolio.
 - 6.2.1 After the 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.
 - 6.2.2 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.
 - 6.2.3 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 the 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 by the Provost (or designee). Once the allegations are

- resolved, the PTE process will resume, using the version of the candidate's portfolio under consideration immediately prior to the allegations. The Provost (or designee) will apprise the PTE committee of any outcomes of a misconduct inquiry or investigation that may impact the evaluation of the portfolio. Any delays in resolving misconduct allegations will not adversely affect the candidate's evaluation. If a delay exceeds 60 days, the candidate may request an altered timeline, consistent with NDSU Policy 352, Section 3.6, for consideration and approval by the Provost (or designee). 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 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. 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
Amended	March 29, 2018
Amended	February 27, 2019
Amended	June 18, 2019
Amended	September 23, 2020
Housekeeping	December 23, 2021

North Dakota State University

Policy Manual

SECTION 326 ACADEMIC MISCONDUCT

SOURCE: NDSU President
NDSU Faculty Senate

1. PHILOSOPHY AND PURPOSE

- 1.1 North Dakota State University is committed to upholding the highest standards of integrity of its endeavors in the pursuit of academic activities including research, instruction, and service. The University will promote an open and honest atmosphere in reviewing and reporting possible academic misconduct.
- 1.2 Scholarly inquiry creates the expectation for strict integrity in its pursuit. Integrity is defined as a commitment to intellectual honesty, and personal responsibility. As a public institution engaged in research, NDSU has an obligation to ensure public trust and confidence in our academic programs and publications. NDSU is committed to creating an environment which promotes responsible conduct that embraces attitudes of excellence, trust, and lawfulness in all our endeavors. It is essential to create this environment in order to maintain academic integrity, which in turn will promote academic excellence leading to reliable and accurate research results.¹ Because misconduct in scholarly inquiry, including the improper expenditure of funds, threatens the confidence in the academic endeavor, it is the responsibility of the University to foster an academic environment that discourages misconduct in all endeavors of scholarly activity and to develop policies and procedures to deal forthrightly with possible misconduct associated with scholarly activity.
- 1.3 These policies and procedures deal with academic misconduct and define a process to report, review, investigate, and resolve, allegations of academic misconduct. They are directed toward governing behaviors to maintain integrity in the pursuit of scholarly, academic activities, and they are consistent with the principle of self-regulation in maintaining integrity in scholarly inquiry.²

2. APPLICABILITY

- 2.1 These policies are applicable to all persons employed at NDSU and associated with NDSU through academic activities. These would include, but are not limited to faculty, adjunct faculty, research professors, lecturers, collaborators, staff, technicians, post-doctoral fellows, graduate, and undergraduate students, and volunteer assistants. However, allegations against graduate and

undergraduate students which are course related will be handled under [NDSU Policy 335: Code of Academic Responsibility and Conduct](#).

- 2.2 While this policy deals with internal allegations, any NDSU employee wanting to charge misconduct against an individual(s) outside the University must have discussed the allegations with the Department Chair, Dean, and Provost before proceeding with such allegations.

3. DEFINITIONS

- 3.1 **Academic or scientific misconduct** shall mean fabrication, falsification, plagiarism, misrepresentation of sources, breach of confidentiality, or other practices, including fiscal impropriety, that seriously deviate from those that are commonly accepted within the discipline for proposing, for conducting, or reporting research; or material failure to comply with a sponsor's requirements that uniquely relate to the conduct of the research. It does not include honest error, or honest differences in interpretations or judgments of data.
- 3.2 **Allegations** shall mean any written or oral accusation by any University official or other Complainant, from inside or outside of NDSU, of possible misconduct that is forwarded to the Office of the Provost.
- 3.3 **Complainant** means any person who makes a formal allegation of research or scholarly misconduct under this Policy.
- 3.4 **Fabrication** is making up data or results and recording or reporting them.
- 3.5 **Falsification** is manipulation of research materials, equipment, processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
- 3.6 **Inquiry** shall mean informal information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.
- 3.7 **Investigation** shall mean the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.
- 3.8 **Plagiarism** shall mean taking over ideas, methods, or written words of another without acknowledgment of and with the intention that they be credited as the work of the deceiver. Different academic disciplines may have their own separate definition which may add additional elements that need to be taken into consideration in an allegation of plagiarism.
- 3.9 **Respondent** shall refer to the accused or the person against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding.

- 3.10 **Scholarly inquiry, creative activity, and research** shall be considered synonymous terms.

4. PRINCIPLES

- 4.1 Due to the wide variety of endeavors of scholarly activity, no one set of guidelines can cover all situations. Also, because of the seriousness of the nature of this subject, several basic principles must be used to guide the processes.
- 4.2 Allegation(s) must receive immediate, appropriate, thorough, and impartial consideration.
- 4.3 The Complainant who in good faith reports apparent academic misconduct shall be protected from recrimination. Good faith allegations are those that are made with the honest belief in the truth of the allegation based on the information the Complainant had reasonable access to at the time of the allegation.
- 4.4 The Respondent, Complainant, witnesses, and committee members must be afforded confidential treatment during the entire process to the extent reasonably possible. Disclosure of the charges and evidence under this policy will be made only as specified in the regulations of the sponsoring agency or as required by the North Dakota Open Records Act. Any violation of this rule is also considered a matter for disciplinary action. Further, the Respondent must be afforded confidential treatment to the extent reasonably possible while being given an opportunity to respond to the allegations and provide a defense during the Inquiry or Investigation phases. A confidentiality agreement can be required.
- 4.5 From receipt of the initial allegation to the completion of the investigation, every effort will be made to obtain and secure evidence that will be directly applicable to the case. All evidence must be carefully weighed to determine whether an allegation has been made in good faith or malice.
- 4.6 In order to determine misconduct, NDSU must find (1) that there was a significant departure from accepted practices of the relevant academic or professional community; (2) it was committed intentionally, knowingly, or recklessly; and (3) the allegation must be proven by a preponderance (greater than 50%) of the evidence.
- 4.7 If allegations of apparent academic misconduct are shown to be unfounded and have been made with the malicious intent of destroying a career and reputation, the evidence of this fabrication is to be presented to the Provost for appropriate examination and possible disciplinary action.

- 4.7.1 Malicious allegations to harm or harass other individuals will not be tolerated by the University, nor will retaliation against the Respondent, Complainant, witnesses, or inquiry or investigative committee members. Further actions against Complainants who have acted in bad faith may be taken under NDSU policies that apply to employment and termination procedures. Actions that may be taken by NDSU could include, but are not limited to, termination of employment or expulsion.
- 4.8 Any University action imposing sanctions must comply with the procedural requirements of the applicable personnel or student policies (see Policies [220](#), [335](#), [350.3](#), or [601](#)).
- 4.9 Challenges against a member of the Academic Integrity Committee for a conflict of interest shall be handled by the committee first and then, if the matter is not resolved, by the President of the Faculty Senate.

5. ACADEMIC MISCONDUCT PROCEDURES

In dealing with academic misconduct allegations, NDSU will follow a three phase process: (1) Phase I - receipt of the allegation; (2) Phase II - an immediate inquiry of the allegation; and (3) Phase III - if warranted, an investigation of the allegation which may lead, where applicable, to recommendations for appropriate sanctions and reporting. Actual sanctions and appeals will be considered separately and will be handled through other administrative processes.

6. PHASE I: RECEIPT OF ALLEGATION

- 6.1 Initially, the Complainant should report the allegation and provide evidence to the university official who is the immediate supervisor of the Respondent. The person receiving the allegation is hereafter referred to as the receiver of the allegation.
 - 6.1.1 Any National or Federal agency involved could also be notified. Most agencies will not investigate initially and will allow NDSU to proceed as the primary investigating body. The funding agency will review the submitted reports to determine if further actions need to be taken. Federal agencies expect each institution to handle these proceedings and will only take charge if there is an immediate need to handle the case themselves.
- 6.2 Upon receipt of an allegation, the receiver of the allegation must immediately inform the Provost (or specified designee) formally, in writing of the nature of the allegation. The Provost will inform the President.
- 6.3 Allegations of academic misconduct by a Complainant (other than the University acting through its administration) must normally be received within

six years from the time when alleged academic misconduct occurred. Other exceptions include: (1) the Respondent continues or renews any incident of alleged research misconduct that occurred outside the six-year limit through the citation, republication or other use for the potential benefit of the Respondent of the research record that is the subject of the allegation; (2) NDSU, following consultation with appropriate agencies, determines that the alleged misconduct, if it occurred, would possibly have a substantial adverse effect on the health or safety of the public; or (3) there is an allegation of fraud which prevented the discovery of the alleged misconduct. Allegations older than six years will normally not be accepted.

7. PHASE II: INQUIRY

- 7.1 Upon receipt of an allegation, the Provost will prepare a statement of allegation which identifies the Complainant, and notifies the Respondent, the appropriate department chair(s), and academic dean(s) of the allegation with available evidence.
- 7.2 The Respondent and Complainant will be offered initial consultation at the time of the receipt of the allegation to assist all parties in understanding the extent of this policy and procedures, and the potential and real consequences. They shall be provided copies or informed of the location of relevant policies and/or rules.
- 7.3 The Provost shall appoint an inquiry committee of three persons consisting of non-administrative, tenured faculty with the rank of professor (emeritus and emerita professors are eligible). Members of the committee may be external to the University and non-faculty members may be appointed if a specific case warrants their inclusion to review the allegation(s).
 - 7.3.1 The inquiry committee will determine if there is sufficient basis to conduct an investigation based on whether (1) the allegation falls within the definition of academic misconduct as defined above; (2) the allegation is sufficiently credible; and (3) the allegation is specific enough so that potential evidence of academic misconduct may be identified. "Sufficient basis" means that there is enough evidence that could be adequate to establish a violation if proven.
 - 7.3.2 Interviews must be conducted, where possible, with both the Respondent and the Complainant and any other persons who may have information relevant to the allegation and purpose of inquiry. The Complainant and the Respondent must comply with appropriate requests by the inquiry committee for documents and other relevant evidence.
 - 7.3.3 The committee may seek an opinion by a recognized authority in the Respondent's field.

- 7.3.4 Upon completion of the inquiry, the committee will prepare a report which shall include: (1) the name and position of the Respondent(s); (2) a description of the allegation of misconduct; (3) list of persons interviewed; (4) a summary of the evidence; (5) the conclusions of the inquiry; (6) a rationale for the recommendation that the alleged misconduct did or did not warrant an investigation; (7) any comments by the Complainant and Respondent; and (8) identification of relevant grants or other funding involved.
- 7.4 The Complainant and Respondent shall be given a complete copy of the report. Each will be given 10 working days to respond to the report and their comments will become part of the record.
- 7.5 The inquiry report will be completed and submitted to the Office of the Provost within 60 calendar days from the receipt of the initial allegation, unless circumstances which can be documented indicate reasons for exceeding this 60 day period.
- 7.6 If the Provost determines that there is no basis to conduct an investigation, a copy of the inquiry report shall be maintained for a period of seven years in the Office of the Provost. This is to permit a later, independent assessment of the reasons for determining that an investigation was not warranted should this be requested by an appropriate agency.
- 7.7 Seven years after the completion of the inquiry, all documentation shall be destroyed.
- 7.8 If, at any time, the documentation is requested by any party, the Respondent shall be notified.
- 7.9 All work of those involved should, to the extent possible, remain confidential. Breaches of confidentiality may be subject to appropriate sanctions.
- 7.10 The Complainant can appeal a decision not to conduct an inquiry to the Committee on Academic Integrity within five (5) working days of receiving notice that an inquiry is not warranted.

8. PHASE III: INVESTIGATION

- 8.1 If the Provost determines that the findings from the inquiry provide sufficient basis for conducting an investigation, the investigation must be initiated within a thirty (calendar) day period after written notification to the Respondent that there will be an investigation. On or before the initiation of the investigation, NDSU will notify all applicable agencies as required by regulations.

- 8.2 The investigation will be conducted by the standing committee of the Faculty Senate, the Committee on Academic Integrity (<https://www.ndsu.edu/fileadmin/facultysenate/docs/Bylaws.pdf>).
- 8.3 The Provost Affairs shall forward the inquiry report to the Committee on Academic Integrity (Investigation Committee) which shall investigate the allegations in substantial compliance with all Federal Regulations.
- 8.4 The Investigation Committee shall comply with the following guidelines:
- 8.4.1 Respondent must be notified in writing that an investigation is being conducted, must be interviewed by the Investigation Committee, and has the right to call any witnesses or produce any evidence in defense. In addition, the Respondent has the right to have an attorney accompany him/her/them to the interview. If an attorney for the Respondent is present, the Investigation Committee may request that the University provide legal counsel to assist it as well.
- 8.4.2 The Investigation Committee may request, and must use diligent efforts to secure, any evidence considered necessary to conduct a complete investigation of the allegation. Whenever possible, interviews should be conducted of all individuals involved including the Respondent and the Complainant as well as other individuals who might have information regarding key aspects of the allegations. Because of the possible specialized nature of the evidence to be investigated, the Committee may seek advice from experts within or from outside the University. Complete summaries of these interviews should be prepared and provided to the interviewed person(s) for comment and shall be included as part of the investigation file and furnished to the Respondent.
- 8.4.3 The Investigation Committee will deliberate and reach its conclusions and write its final report in executive session. Further, the Investigation Committee must prepare and maintain all documentation to substantiate its findings.
- 8.4.4 The investigation by the Investigation Committee is to remain confidential unless disclosure is required by the North Dakota Open Records Act or by the sponsor's guidelines.
- 8.5 If it is determined that the allegations of misconduct are groundless, a report with supporting documentation shall be forwarded to the Office of the Provost to be retained appropriately for a period of seven years.
- 8.6 If the allegations are substantiated by a preponderance (greater than 50%) of the evidence, the Investigation Committee shall forward the report to the Provost and the President with recommendations for appropriate disciplinary action (sanctions).

- 8.7 The Respondent and Complainant shall be given a complete copy of the report. Each will be given ten (10) calendar days to respond to the report and their comments will become part of the record.
- 8.8 All persons and agencies involved in the investigation shall be notified of the conclusion. A copy of all documents shall be furnished to the Respondent and the Complainant. If the documents are requested by any party, the Respondent shall be notified.
- 8.9 In the case of a federal grant, a final report (in substantial compliance with all Federal regulations) prepared by the Provost describing policies and procedures under which the investigation was conducted, the nature of the allegations, how information was obtained, all persons interviewed with text or summary of interviews, the findings, the basis for the final decision, and a description of disciplinary action taken by the institution, must be sent to the appropriate agency.³
- 8.10 It shall be the responsibility of the Provost to communicate the results of the investigation to collaborators, journals, publishers, professional societies, licensing agencies, and sponsoring agencies with whom the accused has had professional contact as appropriate.
- 8.11 The investigation should ordinarily be completed within 120 calendar days of its initiation. If it cannot be completed within that time, then a request to the Office of Research Integrity (ORI) (or other applicable agency(ies)), will be made by the Provost to extend the time, and documentation for the reasons for exceeding this period must be made available in the report.

9. SPECIAL REPORTING REQUIREMENTS

- 9.1 Normally, the inquiry or investigation will be conducted in such a manner as to protect the privacy/confidentiality of all involved.
- 9.2 However, if at any stage of the inquiry or investigation, any of the following conditions exist, there must be immediate notification to the sponsoring agency or other affected parties:
- 9.2.1 There is an immediate health safety risk or immediate need to protect human or animal subjects;
- 9.2.2 Research activities should be suspended;
- 9.2.3 There is an immediate need to protect agency funds, equipment, or the integrity of the research process;

- 9.2.4 There is an immediate need to protect the interests of the person(s) making the allegation or the individuals who are subject to the allegations as well as his/her co-investigators and associates;
- 9.2.5 It is probably that the alleged incident is going to be reported publicly;
- 9.2.6 There is reasonable indication of possible violation of civil or criminal law. In this instance, the institution must inform the appropriate sponsoring agency, if necessary, within 24 hours of obtaining that information; or
- 9.2.7 There is a reasonable belief that the research community or public should be informed.

10. SANCTIONS

- 10.1 NDSU administration may implement specific sanctions congruent with the misconduct.
- 10.2 Sanctions resulting from academic misconduct may include, but are not limited to, termination of employment or student status, termination of current research activity, special prior review of future research activities, written reprimand, probation for a specific period of time, and/or suspension of rights and responsibilities.
- 10.3 In cases of students, recommendations for sanction or disciplinary actions will be forwarded to the Associate Vice Provost for Student Affairs or the Graduate Dean to determine appropriate administration of any sanctions.
- 10.4 In deciding what final actions are appropriate when misconduct is found, NDSU officials should consider:
 - 10.4.1 The seriousness of the misconduct;
 - 10.4.2 The degree to which the misconduct was knowing, intentional, or reckless;
 - 10.4.3 Whether the misconduct was an isolated event or part of a pattern of behavior;
 - 10.4.4 Whether it had a significant impact on the research record, research subjects, other researchers, institutions, or the public welfare; and
 - 10.4.5 Other relevant circumstances.

11. APPEALS

- 11.1 Appeals of the Committee on Academic Integrity finding of misconduct will be handled through federal agencies of oversight where applicable or through NDSU's President's Office.
- 11.2 NDSU appeals must be made directly in writing to the President of NDSU within 30 days of the notice of determination by the Committee on Academic Integrity.
- 11.3 Review of the appeal is by the President. The President has the option to appoint a technical review committee for advice.
- 11.4 NDSU may suspend an internal appeal until further determination by the agencies.
- 11.5 NDSU appeals will be restricted to the evidence presented and will be limited to the University's failure to follow published procedures or arbitrary or capricious decision making.
- 11.6 Upon review of the appeal, the determination made by the President of the University is final.
- 11.7 Grievances and appeals to sanctions and disciplinary actions will be handled accordingly to the applicable policies. Faculty (policy [157](#), [350.3](#), [353](#)); Staff/employee (policy [157](#), [230](#), [231](#)); and Students (policy [601](#) and [335](#)).

1. *Integrity in Scientific Research, Institute of Medicine, National Research Council, (2002).*
2. See Office of Science and Technology's Research Misconduct Policy (2000)
http://www.ostp.gov/cs/federal_policy_on_research_misconduct In addition, these policies and procedures are necessary since the federal government requires that each entity applying for research grants or agreements under the Public Health Service must establish explicit, uniform policies and procedures for investigating and reporting instances of alleged or apparent misconduct involving research activities that are supported with funds made available under the Public Health Service Act. The appropriate acts providing authority are: 42 CFR Part 50, Section 493, Public Health Service Act, as amended, 99 Stat. 874-875, (42 u.s.c. 289b); Section 501(f), Public Health Service Act, as amended, 102 Stat. 4213 (42 u.s.c. 290aa(f)).
3. For example, the Office of Research Integrity (ORI), in the Office of the Director of the National Institutes of Health.

HISTORY:

New	May 14, 1990
Amended	April 1992
Amended	June 1995
Amended	December 2002
Amended	October 2003
Amended	October 2007
Amended	November 2008
Housekeeping	February 14, 2011hk
Housekeeping	September 2015
Housekeeping	March 27, 2018

North Dakota State University

Policy Manual

SECTION 151 CODE OF CONDUCT

SOURCE: State Policy Manual, Section 308.1
State Policy Manual, Section 611.4
NDSU President

1. Introduction and Application.

This Code of Conduct establishes minimum standards for all NDSU employees. NDSU is committed to uphold the highest ethical and professional standards. All NDSU employees must, at all times, comply with all applicable laws, regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, or bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law.

2. General Conduct.

NDSU supports an environment that is free of discrimination, harassment, and bullying. All NDSU employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of NDSU, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or NDSU Policy 155 Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law, as outlined in NDSU Policy 162: Sexual Harassment, Gender-based Harassment, Sexual Misconduct and Title IX, SBHE Policy 603.1, or NDSU Policy 100 Equal Opportunity and Non-Discrimination Policy is prohibited. NDSU Policy 156.1 governs sexual harassment which violates Title IX of the Education Amendments of 1972.

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

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

- A. Following training and job specific requirements as stated in the employee's job description or appointment letter, or as assigned by respective department or unit,
- B. Respecting the value, creativity, and diversity of all persons, which includes diversity of opinions and professional approaches to doing things, (See Policy 100: Equal Opportunity and Non-discrimination Policy, Policy 325: Academic Freedom, or other relevant policies for guidance.)
- C. Contributing to an environment of respectful and productive working relationships with those with whom the person interacts, and
- D. Making good faith efforts to resolve differences constructively.

- 2.1 For purposes of this policy, bullying is defined as:
 - 2.1.1 Conduct directed at another that is severe, pervasive, or persistent;
 - 2.1.2 Is of a nature that would cause a reasonable person in the target's position substantial emotional distress and undermine their ability to work, study, or participate in their regular life activities; and
 - 2.1.3 Actually does cause the target substantial emotional distress and undermines the target's ability to work, study, or participate in the target's regular life activities.
 - 2.2 Bullying by electronic means is prohibited under NDSU Policy 158 and N.D.C.C. 12.1-17-07.
 - 2.3 It is not bullying when a supervisor, or peer acting in an evaluative capacity, notes unsatisfactory performance or misconduct; institutes proceedings for workplace sanctions, nonrenewal, or dismissal for cause; provides feedback regarding work behavior or performance; or engages in discretionary actions related to the evaluative capacity, so long as the actions are made in accordance with the appropriate criteria and are not a clear abuse of discretion. A target of bullying does not have to be a member of a protected class listed in NDSU Policy 100.
 - 2.4 NDSU values and promotes freedom of expression and inquiry as provided under applicable law. Nothing in this policy is intended to limit or restrict a person's First Amendment rights or rights to academic freedom; however, such rights do not include the right to engage in workplace bullying.
 - 2.5 Resources to assist with an informal resolution are available through the Office of the Ombuds. If informal resolution is not feasible or any party wishes to follow the formal process, suspected violations should be reported to the impacted party's immediate supervisor and to the NDSU Equity Office, 701.231.7708 or ndsu.eoaa@ndsu.edu. In the case the immediate supervisor is involved in the suspected violation, the violation should be reported to the next level of supervisor.
3. Conflicts of Interest.

All NDSU employees are expected to perform their duties conscientiously, honestly, and in compliance with Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. All employees must comply with applicable federal and state laws. Employees may not unlawfully use their position, or the knowledge gained as a result of their position for private or personal advantage. All employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of federal or state law or SBHE policy or NDSU policy is encouraged to communicate with a superior or appropriate administrative official at NDSU.
 4. Outside Activities and Employment.

Employees are encouraged to support the community by participating in religious, charitable, educational, and civic activities. However, employees must comply with applicable federal and state laws, as well as Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving NDSU of their best efforts in fulfilling their job duties or that create a conflict of interest, or an obligation, interest, or distraction that interferes with the independent exercise of judgment in NDSU's best interest.
 5. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions.

Excluding *de minimus* contributions, such as purchase of a meal at reasonable value as part of a

conference or other event with no conditions attached to such purchase and as permitted under applicable federal and state laws, employees may not accept favor of any person or organization with whom or with which NDSU has, or is likely to have, business dealings. Similarly, employees may not accept any other preferential treatment under circumstances that because of their position with NDSU, the preferential treatment may influence or be perceived as influencing their official conduct. Employees may not receive payment or compensation of any kind from any source for NDSU duties and responsibilities, except as authorized under applicable law or NDUS and NDSU pay policies. Specifically, the acceptance of "kickbacks" or commissions in any form from vendors, suppliers or others is prohibited.

6. NDSU Funds and Other Assets

Employees who have access to NDSU funds and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDSU procedure manuals or other explanatory materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior or appropriate administrative official at NDSU. .

Employees responsible for spending or approving expenditure of NDSU funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of NDSU to ensure that good value is received for every expenditure. NDSU funds and all other assets are for NDSU purposes only and not for personal use or benefit. NDSU or other public equipment, supplies and other property or assets may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or NDSU policy.

7. NDSU Records and Communications.

Accurate and reliable records of many kinds are necessary to meet NDUS NDSU legal and financial obligations and to manage the affairs of the NDUSNDSU. NDUS NDSU books and records must reflect in an accurate and timely manner all business transactions. Employees responsible for accounting and recordkeeping must fully disclose and record all assets and liabilities and exercise diligence in enforcing these requirements. Employees must not make or engage in any false record or communication of any kind, whether internal or external, including, but not limited to, false expense, attendance, enrollment, financial, or similar reports and statements, or false advertising, deceptive marketing practices, or other misleading representations.

8. Dealing with Outside People and Organizations.

NDSU employees must take care to separate their personal roles from their NDSU positions when communicating on matters not involving NDSU business. They may not use NDSU identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve NDSU business, employees may not represent that they speak for the NDSU, unless that is one of their duties or they are otherwise authorized to do so. When dealing with anyone outside the NDSU, including public officials, employees must take care not to compromise the integrity or damage the reputation of NDSU.

An employee of NDSU authorized to sell or lease any property or make any contract in the employee's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract.

Pursuant to N.D.C.C. Section 48-01.2-08, employees may not have any interest in a public construction or repair contract.

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

- a. N.D.C.C. Sections 12.1-13-03 and 48-01.2-08 do not apply; and
- b. The contract is approved by the NDSU President or designee or, if the employee in question is the chief financial officer or president of an institution or an officer of the Board, by the Board, following full disclosure of the employee's interest.

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

9. Prompt Communications.

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

10. Privacy, Confidentiality and Open Records.

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

11. 1 Suspected violations of this policy related to fraud should be reported utilizing the NDSU [fraud hotline](#)

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

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

Institution Codes.

The NDUS office and each NDUS institution shall adopt and implement a Code of Conduct consistent with this Code and Committee of Sponsoring Organization of the Treadway Commission (COSO) Standards. NDUS office and institution codes shall include:

- a. A Statement of the organization's values;
- b. The people or groups of people affected;
- c. A brief description or list of key behaviors that are accepted and not accepted;
- d. How to identify and resolve conflicts of interest;

- e. How to report violations and to whom;
- f. Consequences of violating the Code;
- g. Consequences of failure to report known or suspected violations; and
- h. How reports will be investigated.

NDSU requires that each new employee reviews the Code of Conduct and sign a statement certifying the employee has read and agrees to comply with the Code. Further, all benefited employees are required to annually certify in writing that they have read and are in compliance with the Code of Conduct.

Resources and Related Policies:

[NDSU Policy 100: Equal Opportunity and Nondiscrimination Policy](#)

[NDSU Policy 110: Employment of Relatives](#)

[NDSU Policy 100.1: Nondiscrimination 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 160: Political Activities and Voting Rights of University Employees](#)

[NDSU Policy 161: Fitness for Duty](#)

[NDSU Policy 162: Sexual Harassment Policy](#)

[NDSU Policy 162.1: Consensual Relationships](#)

[NDSU Policy 169: Employee Responsibility and Activities: Theft and Fraud](#)

[NDSU Policy 169.1: Employee Misuse of Property Reports -- Protections](#)

[NDSU Policy 190: Employee Responsibility and Activities: Intellectual Responsibility](#)

[NDSU Policy 323: Selection of Textbooks and other Curricular Materials](#)

[NDSU Policy 326: Academic Misconduct](#)

[NDSU Policy 345: Research Involving Human Subjects](#)

[NDSU Policy 340.1: Coursepacks](#)

[NDSU Policy 400: Purchasing - General Policies](#)

[NDSU Policy 406: Surplus Property](#)

[NDSU Policy 505: Property, Plant and Equipment](#)

[NDSU Policy 700: Services and Facilities Usage](#)

[NDSU Policy 700.1: Use of University Name](#)

[NDSU Policy 700.2: Taking Equipment Off-Campus](#)

[NDSU Policy 700.3: Personal Use of State Property](#)

[NDSU Policy 710.1: Web Advisory Board](#)

[NDSU Policy 712: Contract Review](#)

[NDSU Policy 718: Public/Open/Restricted Records](#)

[NDSU Policy 823: Financial Conflict of Interest – Public Health Service Sponsored Research](#)

[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
Amended	March 5, 2020
Amended	June 9, 2020
Amended	August 14, 2020
Amended	December 14, 2020

North Dakota State University

Policy Manual

SECTION 152

EXTERNAL PROFESSIONAL ACTIVITIES

SOURCE: NDSU President
NDSU Faculty Senate

1. INTENT

- 1.1 North Dakota State University, within stated guidelines, encourages employees to participate in professional activities providing information, advice, or services to those outside of the University as a means of gaining additional professional experience and maintaining professional competency within their specialized disciplines. Participation in external professional activities is expected to contribute to the mission of the University.
- 1.2 Acceptance of full-time employment at NDSU carries a commitment to the University that is understood to be full-time in the most inclusive sense. Full-time faculty and staff ("Employees") are expected to devote their primary loyalty and energy toward meeting their instructional, research, service, and administrative duties. External activities and financial interests must not interfere with the expected primacy of these commitments, nor present a conflict-of-interest to the University, nor create a public relations problem for the University. Prior to accepting appointments, engaging in a business, or otherwise diverting their attention from university duties, employees must make disclosure of the activity and, if appropriate, obtain approval.
- 1.3 Approval to participate in external professional activities does not permit use of the University's name in any announcement, advertisement, publication, or report if it implies University endorsement of a product or service. The University does not assume any responsibility for the professional services rendered during an external professional activity.
- 1.4 By participating in external activities, an employee creates a greater potential for a conflict of interest. Employees need to be thoughtful and deliberate about analyzing their proposed external activities for potential conflicts of interest. When evaluating external activities, employees and their supervisors must ensure compliance with Policy 151.1.

2. PROFESSIONAL SERVICE WITHOUT REMUNERATION

- 2.1 Employees of NDSU are often asked to participate in professional, discipline-related activities, such as officers of national organizations, journal editors, editorial boards, etc. Such participation is viewed as desirable, and University approval to engage in these activities is necessary only if substantial use of University facilities or resources will be needed for support of these activities.

3. EXPERT TESTIMONY

- 3.1 Because of their unique expertise, faculty or staff may be asked to serve as expert witnesses in a court of law. Because of the nature of the legal process, such activity may place the University employee in an unintentional adversarial position.
- 3.2 Therefore, University employees are encouraged to appear as "juris amici" (friend-of-the court) instead of as expert witnesses representing one party. If a University employee serves as an expert witness for compensation, the University Consulting Form must be completed and approved, and the consulting guidelines apply (see Section 5 below).

4. PROFESSIONAL SERVICE WITH REMUNERATION (HONORARIA)

- 4.1 University employees are encouraged to provide public service by making presentations to various groups and organizations or serving on proposal review committees. Often the employee may be given an honorarium in appreciation of such service.
- 4.2 An honorarium is defined as a monetary gift which is meant to express appreciation or honor to the recipient which is not covered under the consulting policies.
- 4.3 Provided there is no prohibitive conflict of interest pursuant to Policy 151.1, employees can accept honoraria from non-NDSU or non-State (North Dakota) related entities. Unless Section 5 below applies, employees shall regard the services for other departments within the University or for other state agencies or entities for which they might receive honoraria as part of their public service obligation and refuse or return such honoraria.

5. PROFESSIONAL SERVICE WITH REMUNERATION (CONSULTING)

- 5.1 Employees of NDSU are often requested to provide professional expertise as consultants to private agencies, governmental (state and national) agencies, industries, or individuals for which they receive remuneration or retainer fees. In general, the following policies must be followed when participating in consulting activities. For purposes of this policy, teaching a course or teaching a substantial portion of a course for another educational institution or other business or organization shall be treated as consulting and governed by this policy. This policy applies to both teaching in person or by means of an electronic communication.
- 5.1.1 Consulting by employees in areas related to their academic discipline may be performed only after prior approval by the line of administration through the appropriate Vice President. For example, faculty need the approval of the chair, dean, and Provost. In addition, those faculty with a major Experiment Station or Extension Service appointment also need the approval of the appropriate Director and the Vice President for Agriculture and University Extension. Employees with full-time Agricultural Experiment Station positions (e.g., branch stations) or full-time, off campus Extension appointments, approvals are required from the appropriate Director and Vice President for Agriculture and University Extension. Staff would need the approval of the appropriate Vice President. Vice Presidents and members of the President's staff require

the approval of the President. Decisions for such approval will depend upon the nature of the employment responsibility to the University and the conditions of employment. Approval may only be granted for periods up to the maximum of one year. Approval must be sought each year if any activity extends beyond the one year maximum.

- 5.1.1.1 Any consulting agreement which attempts to assign ownership rights in intellectual property or provides that the ownership rights will belong to a third party and which arise in an area related to the employee's academic discipline or work at the University must be submitted for review and approval by the University. The reason is to protect the interests of the University in any employee invention or other discovery. Unless otherwise expressly authorized, employees have no authority to assign any ownership rights in any invention or discovery which may arise out of or relate to their work at the University or the use of any University property or equipment.
- 5.1.2 The consulting activity must not interfere with normal duties or activities.
- 5.1.3 The consulting activity must not represent an actual or potential conflict-of-interest.
 - 5.1.3.1 If there is an actual or potential conflict of interest, the employee must comply with Policy 151.1.
- 5.1.4 The consulting activity must not compete directly with University sponsored services. Because of the land grant mission, fees should not be charged for consulting with North Dakota clients when the same services are provided by a defined program or staff function at NDSU.
- 5.1.5 The time limit on the consulting activity is limited to the equivalent of one day per week, during the contract period at NDSU, and consulting should not be performed on a regular, ongoing basis. In addition,
 - 5.1.5.1 individuals should keep a record of time spent consulting;
 - 5.1.5.2 travel time, office visits, correspondence, telephone calls, and other on campus consultation related activities are included in the time committed to consulting;
 - 5.1.5.3 consulting conducted outside the regular work week is not counted as part of consulting time; however, the same policies and procedures for disclosures and approval apply;
 - 5.1.5.4 the consulting activity should not require an absence from campus longer than 10 consecutive working days without special approval.
- 5.1.6 Consultants must make clear that they are not representing the University or that the name and authority of University are in no way connected with service rendered, and that reports cannot be made on University stationery.

- 5.1.7 Travel Authorization forms must be filed as necessary.
- 5.1.8 Special approval must be obtained in advance for the use of University facilities and resources which may require payment of a reasonable fee, and the individual is responsible for payment of these fees. If University facilities or equipment is used, proof of professional liability insurance coverage for consulting activities may be required.
- 5.2 Grievances for matters involving this policy shall follow the appropriate grievance procedure (faculty, policy 353; staff, policy 230).
- 5.3 Approval for consulting or other external activities may be revoked if unforeseen problems occur after the initial approval. The revocation of approval may be appealed in the same manner as a denial.
- 5.4 Failure to follow this policy will be reported to the President who may impose sanctions that are appropriate to the seriousness of the violation.

6. RESPONSIBILITIES

6.1 Individual

- 6.1.1 obtain prior approval, completing Consulting Authorization Request form prior to initiation of consulting activity;
- 6.1.2 ensure that activity does not conflict with primary responsibilities;
- 6.1.3 ensure activity does not pose an actual or potential conflict-of-interest and complies with Policy 151.1;
- 6.1.4 maintain appropriate records of consulting activities;
- 6.1.5 do not use College or University endorsement;
- 6.1.6 secure advance approval to use University equipment, and make any necessary payments;

6.2 Department Chair, Director

- 6.2.1 evaluate all requests for interference with normal duties or conflicts-of-interest;
- 6.2.2 identify and resolve any actual or potential conflicts-of-interest and ensures that the employee complies with policy 151.1;
- 6.2.3 review requests to determine that they meet policies of University;
- 6.2.4 forward recommendation to Dean;
- 6.2.5 ensure activities are reviewed annually.

6.3 Dean, Director

6.3.1 review recommendation from Chair;

6.3.2 review any special circumstances;

6.3.3 forward recommendation to the appropriate Vice President.

HISTORY:

New	September 1995
Amended	November 1997
Amended	February 1998
Amended	September, 1995
Amended	October 2000
Amended	October 2003
Amended	October 2007
Amended	January 2008
Housekeeping	February 14, 2011
Amended	November 29, 2015
Amended	September 26, 2019

North Dakota State University

Policy Manual

SECTION 151.1

EXTERNAL ACTIVITIES AND CONFLICTS OF INTEREST

SOURCE: SBHE Policy Manual, Section 611.4
NDSU President
NDSU Faculty Senate

1. PHILOSOPHY AND NEED

North Dakota State University is committed to preserving and furthering ethical conduct, institutional integrity, and public confidence. North Dakota State University personnel engaged in University work shall act at all times in a manner consistent with their public responsibilities to the University and shall exercise particular care that no detriment to the University results from conflicts between their personal interests and the interests of the University. Such interests can threaten – or seem to threaten – the integrity of educational programs and research agendas, the free dissemination of scholarship, and the appropriate use of public resources for public benefit. Accordingly, University Members shall disclose all significant interests they may have and shall adhere to any conditions or restrictions imposed by the University to manage, eliminate, or reduce conflicts relating to those interests.

This policy outlines the obligations of University personnel to disclose personal interests that create potential conflicts of interest, including significant financial interests and immediate family relationships, and the responsibility of the University to review such information and take appropriate steps to manage, reduce, or eliminate related conflicts. Certain interests are inherent in the structure of the university enterprise, yet not inherently bad. It is not the intent of this policy to prohibit all activities in which investigators hold a significant interest, however, it is required that these interests be disclosed and that projects be conducted in a way that such interests do not compromise, or appear to compromise, an University Member's professional judgment.

2. APPLICABILITY

This policy applies to all University Members, including employees and students in their various University roles. Sub-awardees and their personnel, and collaborators at other institutions (collectively 'Sub-Awardees') must either comply with this policy or document that their institutions or organizations are in compliance with USDHHS PHS rules. **If they cannot so certify, they will be subject to North Dakota State University's COI policy.**

3. DEFINITIONS

3.1 A **Conflict of Interest** is a divergence between an individual's private interests and their professional obligations to the University such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise. For example, situations in which personal considerations may compromise or appear to compromise a researcher's professional judgment in conducting or reporting research.

3.2 **Types** of Conflicts of Interest are:

1. **Commitment** – Commitment conflicts of interest arise when university members' involvements in outside activities substantially interfere with their primary commitments to the university: to teach, to conduct research and to meet related institutional obligations.
 2. **Financial** – Financial conflicts of interest arise when university members' involvements in outside business activities substantially interfere with their primary commitments to the university: to teach, to conduct research and to meet related institutional obligations.
 3. **Personal** – Personal conflicts of interest arise when university members' involvements in personal activities or relationships may impair their ability to act impartially and substantially interfere with their primary commitments to the university: to teach, to conduct research and to meet related institutional obligations.
 4. **Research** – Research conflicts of interest arise when university members' involvement with research substantially interfere with their other primary commitments to the university: to teach and to meet related institutional obligations.
- 3.3 **Family** refers to the University Member's spouse, domestic partner/significant other, child(ren), sibling(s), parent(s), or in-law(s).
- 3.4 **Investigator** refers to any person identified as Senior/Key personnel in a grant application, progress report, or other report submitted to an external sponsor, and others, regardless of title, who directs or can materially influence the research, or who is responsible for the design, conduct, and reporting of such research
- 3.5 **Student** refers to any NDSU graduate or undergraduate student over whom the University Member has supervisory authority.
- 3.6 **Significant Family Interest** means that a University Member's family member is in a position to benefit personally, directly or indirectly, from the family member's relationship with a person or entity conducting business with the University. Furthermore, Significant Financial Interest also includes situations where the University Member has the ability to appoint, employ, hire, assign, transfer, promote, evaluate, reward, discipline, demote, or terminate the family member, or cause others to act in such a manner.
- 3.7 **Significant Financial Interest** means anything of monetary value, including but not limited to salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights).
- 3.7.1 Specifically **excluded** from the definition of Significant Financial Interest are:
 - 3.7.1.1 Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities.
 - 3.7.1.2 Income from service on advisory committees or review panels for public

3.7.1.3 Investments in mutual funds or retirement programs if the investigator has no practical control over the management of those investments.

3.7.1.4 Royalties paid by the University.

3.7.1.5 Regular salary, summer salary, or overload compensation paid by the University when the rate of compensation is set by the University. (Note: consulting fees or other forms of overload compensation paid by the University at rates other than that established by the University are not necessarily excluded from the definition of significant financial interest; see item 7 below.)

3.7.1.6 An equity interest that, when aggregated for the University Member and the University Member's family satisfy both of the following conditions: (a) does not exceed \$5,000 in value as determined through reference to public prices or other measures of fair market value, and (b) does not represent more than a 5% ownership interest in any single entity.

3.7.1.7 Overload salary, consulting fees, royalties or other payments that reasonably appear to be unrelated to the University Member's institutional responsibilities.

3.8 **Significant Personal Interest** means any significant commitment, financial, or research interest, and any significant family interest.

3.9 *University Member* is any employee or student.

4. OBLIGATIONS TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST

By submitting a [Conflict of Interest Disclosure](#) form, University Members must disclose for themselves, and for their family any significant personal, financial, commitment, and research conflict of interest.

Regardless of the above minimum requirement, University Members in their best interest may choose to disclose other financial or related interests that could present, or be perceived to present, a conflict of interest.

Also, it is not possible to specify all the possible personal relationships or business arrangements which might result in conflicts of interest for University Members. In completing a Conflict of Interest Disclosure form, however, University Members are expected to follow the spirit of this Policy and disclose other significant personal interests that might be anticipated to threaten the same harm. For example, the financial interests of a parent, sibling, independent child, unmarried domestic partner, or a close associate may be perceived as grounds for the same kind of conflict of interest, and should be reported, if known. Similarly, the promise of future gifts, or the offer of a loan on advantageous terms not available to the general public, might represent a significant financial interest that should be disclosed.

For all PHS, NSF, or sponsors that follow the PHS guidelines, all Investigators will complete, no less frequently than annually, the Conflict of Interest Disclosure form for the duration of the funding. If applicable, the Investigator will submit the form with supporting documentation that specifies all business enterprises or entities involved and the nature and amount of each interest. All documentation must be submitted to Research Integrity; **this information must be received before a proposal will be submitted by Sponsored Programs.**

In addition, each Investigator disclosing a significant financial interest shall describe such interest in the proposal narrative or in an attachment thereto, to make certain that the potential sponsor will be fully aware of the possibility of a conflict of interest situation before a final decision on the potential award is made.

If grant funding is approved, a Conflict of Interest Management Plan will be required, if necessary.

To the extent allowed by law, Research Integrity will treat disclosures and supporting documents as confidential materials prepared for the University Conflict of Interest Committee.

5. REVIEW OF DISCLOSURES

5.1 A standing University Conflict of Interest Committee (UCIC) shall be responsible for (a) reviewing significant interest and conflict disclosures and (b) developing, approving, and monitoring plans to manage or eliminate conflicts of interest.

5.2 A conflict of interest exists if a reasonable determination can be made that the potential conflict of interest could significantly affect the University Member's professional obligations to the University.

5.3 The Committee shall be comprised of the Vice President for Research and Creative Activity or designee (Chair), the Chair of the Faculty Senate's Research and Consulting Committee, one tenured faculty member from each College, appointed by their respective Deans to staggered, three-year terms, one member from the office of the Vice President of Finance and Administration or Technology Transfer, one staff member, and one to three community members with relevant experience.

6. UPDATING DISCLOSURES

All University Members are responsible for updating information on new conflicts when they arise, such that accurate and current information is on file with the University at all times. Prior to updating the disclosure with Research Integrity, University Members should first consult with their supervisor. Updated disclosures must be submitted to Research Integrity within fourteen (14) business days of discovering such interests.

7. REPORTING

The Vice President for Research and Creative Activity will report the actions of UCIC to the Provost and President. Sponsored Programs will also report the existence of conflicting interests, financial disclosures, and/or related Conflict of Interest Management Plans to the sponsor of the relevant project, if such reporting is required by the pertinent program regulations or guidelines.

8. RECORD KEEPING

Research Integrity will be responsible for maintaining records related to all disclosures, associated reviews and actions (whether or not a disclosure resulted in a determination of a conflict of interest), reporting/updating information, etc.

9. INFRINGEMENTS

Infringements of this policy shall be subject to disciplinary procedures, including sanctions up to and including suspension and termination of employment at or enrollment in the University. In addition, any NDSU employee who has received financial benefit from transactions in violation of this policy shall be liable for repayment (to the appropriate entity) of all financial benefits resulting from such violation. Compliance with this policy may also be enforced through the exercise of administrative oversight of funded research and management of NDSU facilities and other property. Such enforcement measures may include, but not be limited to:

1. Freezing funds or accounts,
2. Rescinding contracts entered in violation of this policy or state law, and
3. Bringing legal action for restitution to the appropriate entity or entities of the amount of financial benefit received by the NDSU employee as a result of the employee's violation of this policy.

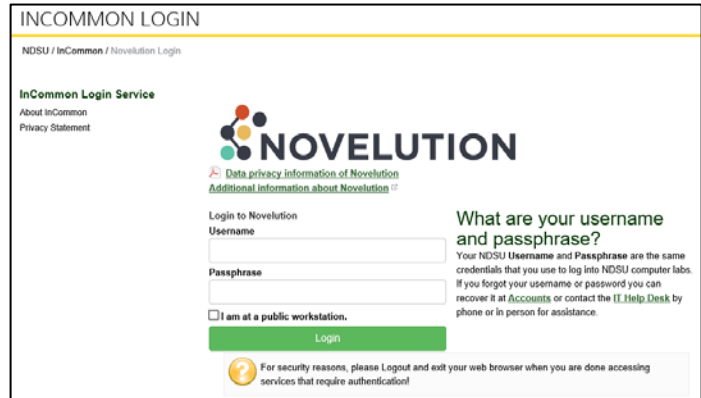
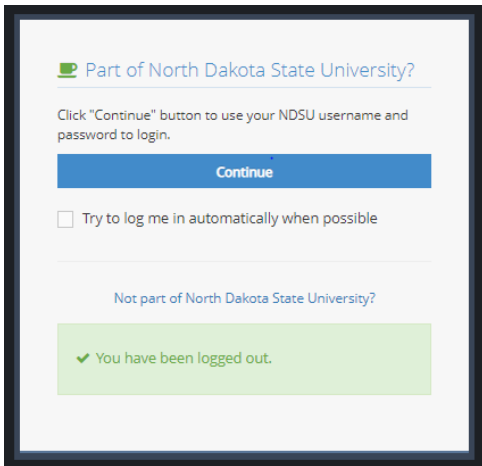
HISTORY:

New	December 2007
Amended	January 2008
Housekeeping	August 2009
Housekeeping	February 14, 2011
Housekeeping	November 8, 2011
Amended	October 24, 2019
Housekeeping	October 28, 2019
Housekeeping	February 3, 2022

Electronic Proposal Routing – Novelution Help Guide

Signing into Novelution

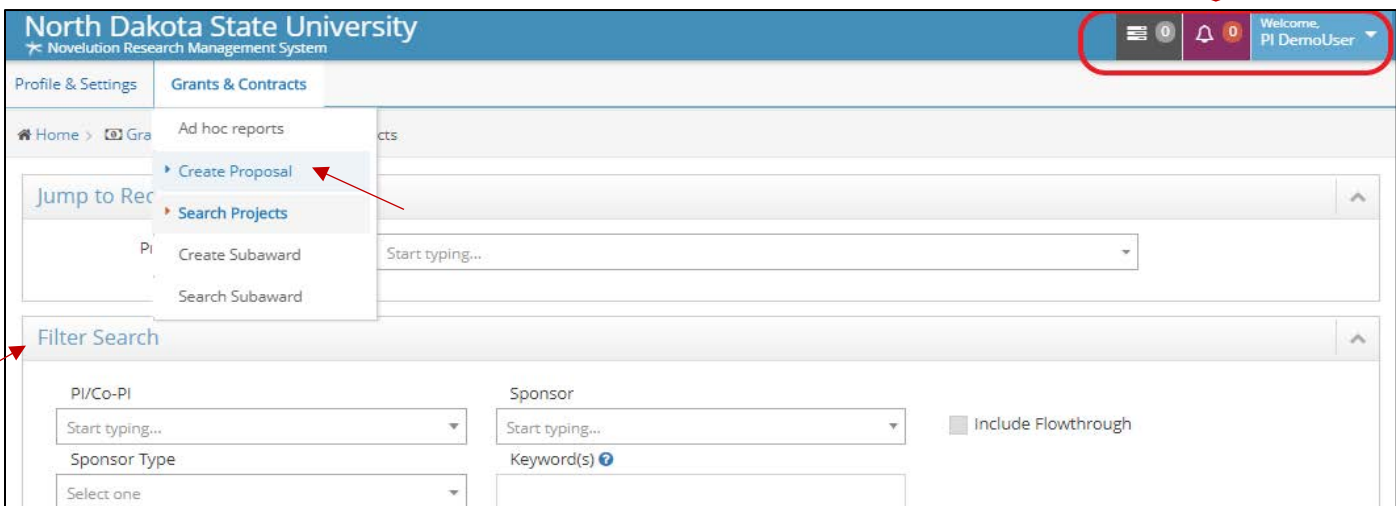
- Web address: <https://erac.ndsu.edu>
- Click blue “continue” button
- Enter NDSU Username and Passphrase
- Complete Duo Authentication



Landing Page

- Search for your proposals and awards using “Search Projects” or “Ad hoc Reports”
- Create a proposal by clicking on the Grants & Contract tab and select “Create Proposal”
- Find your Tasks and Notifications in the top right blue header bar
 - Tasks are listed in the first box and are items to be completed
 - Notifications are listed in the second box and are for informational purposes only

Tasks and Notifications



Search for Proposals and Awards

- All proposals processed through Sponsored Programs beginning 7/1/2019 have been entered into Novelution.
- All active awards are entered into Novelution and any awards closed after 11/1/2019 are also in the system.
- [Search Projects Page](#)
 - By default only a users pending proposals and active awards display in the search results. To include proposals that weren't funded or awards that are closed, click on the "include inactive records" box on the filter search page.
- [Ad Hoc Reports Page](#)
 - By default this page includes all proposals and awards for the user.

Create Proposal Page

- Enter Project title (PI name and primary department will auto populate).
- The Primary Department a proposal is being submitted under can be changed be using the dropdown selections on this page.

North Dakota State University
Novelution Research Management System

Welcome, PI DemoUser

Profile & Settings | Grants & Contracts

Home > Grants & Contracts > Create Proposal

Create Proposal

Primary Information

Title

200 remaining

PI*

Project Department*

Sub-Project Department

Deans Office, Science & Math > Mathematics

CONTINUE

- To change your default department for all proposals submissions:
 - Navigate to "Profile and Settings" tab, select "Edit User Profile" and scroll to "Positions/Units"

Positions/Units

Default Lead Project Department

Department/Unit

Main Proposal Page

- Complete each panel section and click on the blue “submit for approval” button to begin proposal routing.
- **At this time, send an email to any CO-PI’s, Chair/Director/Dean associate with your proposal that you have submitted a proposal through Novelution and it is ready to be electronically reviewed and approved.**

The screenshot shows the Novelution Research Management System interface. The top navigation bar includes 'North Dakota State University' and 'Novelution Research Management System'. The user is logged in as 'PI DemoUser'. The main content area is titled 'NOV0002680 / PI DemoUser' and shows a form for 'Edit Sponsored Research'. The form is divided into several panels, each with a header and a blue 'View/Edit' button. The 'Primary Information' panel includes fields for 'Project ID' (NOV0002680), 'Title*' (with a red asterisk indicating a required field), and 'Proposal Type*' (with radio buttons for 'New' and 'Supplemental'). The 'Sponsor & Submission Information' panel is highlighted with a red box around its 'View/Edit' button. The bottom of the page features a row of buttons: 'SAVE', 'SUBMIT FOR APPROVAL', 'Check Validations', and 'Request Budget pte-revisv'. A red box highlights this entire row of buttons.

Tips

- Work through each Panel, completing the information requested.
- **Red asterisks** indicate a required field and must be completed. (Note: Every field is required in the Screening Questions and Compliances Panels.)
- Hover your mouse over a **blue question mark symbol** in panels to view additional guidance.
- Each panel header has a **gray check mark box**. When a panel is complete, click the gray check mark to indicate the panel is complete. A **green check mark** will then appear in Panel Shortcuts in the left navigation sidebar.
- Clicking on the green “**Check Validations**” button at any time will provide a list of fields that still need to be completed. It is recommend to always select “Check Full Validations”. A **red symbol** will appear next to incomplete panel(s) in the Panel Shortcuts menu to assist in locating the incomplete fields.
- When clicking the “**View/Edit**” button in the budget panel, an additional modal appears and has a **separate “Check Validations” button** at the bottom of the page.
 - While in the budget modal, you can choose to upload an external budget.
- It is necessary to **SAVE** your proposal as you complete it, as navigating away from the page may result in losing changes that have been made. **SAVE often!**

PI Attestation and Submit for Approval

- Prior to clicking “Submit for Approval”, the Proposal PI must sign in to Novelution and complete the PI attestation Panel. This panel is not visible or editable by anyone other than the PI.

^ PI attestation

I, PI DemoUser, attest to the role as Principal Investigator in project and that the information is correct?

Do you have an economic interest in, receive compensation from, or act as an officer or director of any outside entity involved in this proposal? Yes No

Do you plan on working with, or entering into a financial transaction with your spouse, domestic partner, child, parent, sibling or in-laws for this proposal? Yes No

To the best of your knowledge, are there any immediate familial relationships between any personnel, subcontractors, subawardees or vendors? Yes No

- After PI attestation, the proposal can be submitted for routing anytime by the PI or a Department Administrator by selecting one of the two options below:
 - Submit Administrative Portions for Review
 - The Proposals Upload panel remains unlocked but all other proposal panels are locked.
 - Submit Full Proposal
 - All proposal panels are locked and are read only

Submit Administrative Portions for Review

Submit Full Proposal

Workflow & History

- The Workflow & History Panel provides a listing of all of the internal approvals that need to be completed prior to a proposal being ready for submission to a sponsor. **Requirements in this panel update automatically as approvals are completed during the routing process**, some of these may be completed simultaneously.
- A Completion State of “Ready” indicates a requirement is ready to be completed, a Completion State of “Not Ready” indicates prior requirements need to be completed first and a Completion State of “Completed” indicates a requirement is finished.

NDSU Personnel

Subawards

Budget

Proposal Uploads

Connected Records

Email Contacts

PI attestation

Workflow & History

Workflow & History

Stage - Revision #	Created	Current Status	Status Date	Notes
Proposal - revision #1.1	03/22/2020 5:50 PM	New Proposal Record Created	03/22/2020 5:50 PM	

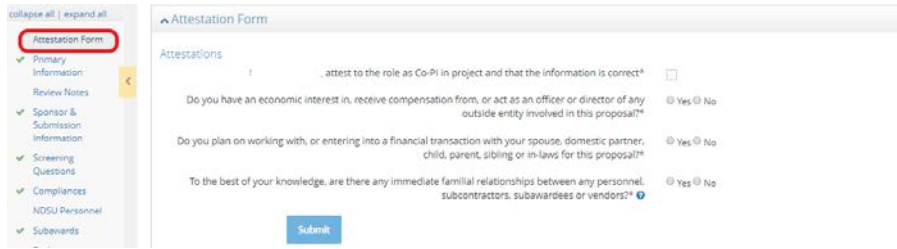
Status	Requirement	Completion State	Revision	Completed by	Completed Date
New Proposal Record Created	Release administrative portions of proposal for review	Ready			
	PI attestation: PI DemoUser	Ready			
Internal Review and Approvals	Approval by Department Chair:	Not ready			
	Approval by College Dean:	Not ready			
Institutional Review & Approval	BPD Review	Not ready			
AOR Approval	AOR Approval	Not ready			
Ready to Submit to Sponsor	Release full proposal application for review	Ready			
	Submission by SPA	Not ready			
Proposal Submitted to Sponsor					

^ Budget Pre-Review

53

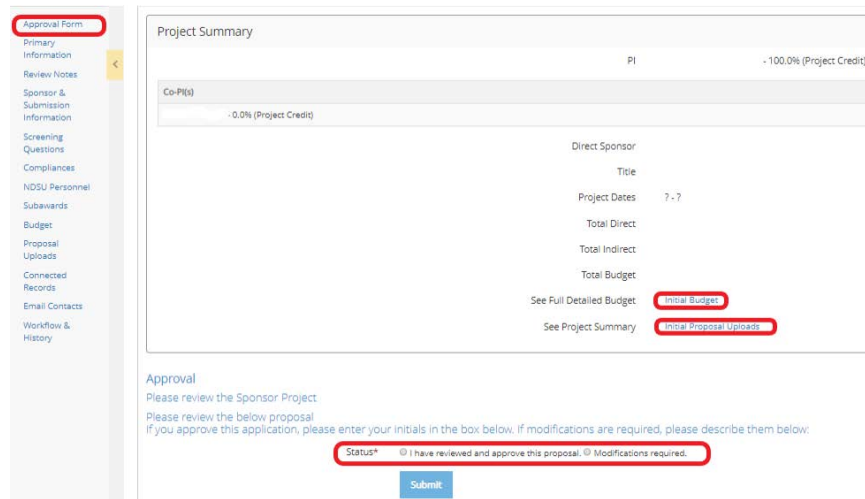
Co-PI Attestation

- All Co-PI’s associated with the proposal must sign in to Novelution and complete a CO-PI Attestation



Chair/Director/Dean Approvals

- All Chair/Director/Dean Proposal Approvals in the Workflow & History Panel must sign in Novelution to review and approve a proposal



- The review “Status” in the “Approval Form” should be updated to one of the following:
 - If no changes are needed to proposal: Select “I have reviewed and approved this proposal”, enter initials and click on “submit”

Status* I have reviewed and approve this proposal. Modifications required.

Initialize*

- If changes are needed to proposal: Select “Modifications Required”, enter a description in the details window and then click “submit”. The proposal is routed back to PI for further changes, and then resubmitted back for approval.

Status* I have reviewed and approve this proposal. Modifications required.

Details*

Sponsored Programs Review and Approval

- Budget and Program Officer Review and Approval:
 - As soon as a proposal has been approved by all individuals listed in Workflow “Internal Review and Approval” section, it will route to the Sponsored Programs Budget and Program Officers. One of the Budget and Program Officers will enter their name in the “Assigned BPO” field, will review the budget and completed Novelution fields and then will either route the proposal back to the PI for proposal modifications and resubmission or will approve proposal.

Primary Information

Project ID	NOV0001095
Title*	
Proposal Type*	
Assigned BPO (Proposal)	Miller, Victoria Jolene

Period of Performance

Start Date	07/01/2020
End Date	06/30/2022

- AOR Approval:
 - One of the Sponsored Programs Authorized Organizational Representatives (AOR) will review and approve proposal.
- Accessing SPA Signed Documents:
 - Any documents uploaded by PI under “Documents Requiring SPA Signature” will be signed and then uploaded under “SPA Signed Documents”
 - **SPA signed Letter of Intent/Cover Letter:** To download a cover letter signed by SPA, click on “Generate Standard NDSU Cover Letter”.

Cover Letter

Letter of Commitment type*

[Generate Standard NDSU Cover Letter](#)

[Download Standard NDSU Cover Letter](#) [Download PDF](#)

Help

If you need assistance, please email ndsuhelp@ndsuhelp.edu, identifying the Panel you are working in and the question(s) you have. SPA staff will get back to you as quickly as possible.

FERPA for faculty and staff

It is Your Responsibility

As a faculty or staff member, you have a legal responsibility under FERPA to protect the confidentiality of student educational records in your possession. You have access to student information only for legitimate use in the completion of your responsibilities as a university employee. **Need to know is the basic principle.**

Your access to student information, including directory information, is based on your faculty or staff role within the university. You may **not** release lists or files with student information to any third party outside your college or department.

Student educational records (other than directory information) are considered confidential and may not be released without written consent of the student. Student information stored in electronic format must be secure and available only to those entitled to access that information.

If you're in doubt about a request for student information, contact the Office of Registration and Records at 701-231-7981.

FERPA is Federal Law

FERPA (Family Educational Rights and Privacy Act), also known as the Buckley Amendment, was passed by Congress in 1974. It grants four specific rights to a postsecondary student:

- to see the information that the institution is keeping on the student.
- to seek amendment to those records and in certain cases append a statement to the record.
- to consent to disclosure of his/her records.
- to file a complaint with the FERPA Office in Washington.

FERPA applies to all educational agencies or institutions, including North Dakota State University, that receive funds under any program administered by the Secretary of Education. FERPA governs what may be released but does not require that any information be released.

Student Information Types

Directory/Public Information and NDSU Directory Information

"Directory information is . . . information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed." (FERPA Regulations, 34CFR, Par 99.3.)

Directory information at NDSU

Directory Information is considered public and can be released without the student's written permission. *However, the student may opt to keep this information confidential.*

- Student Name *
- Hometown (city, state)
- Campus E-mail address **
- Height, weight and photos of athletic team members
- Major field of study (all declared majors)
- Minor field of study (all declared minors)
- Class level
- Dates of attendance
- Enrollment status (withdrawn, less than half-time, half-time, three-quarter-time, full time)
- Names of previous institutions attended
- Participation in officially recognized activities and sports

- Honors/awards received
- Degree earned (all degrees earned)
- Date degree earned (dates of all degrees earned)
- Directory photos, photographs and video recordings of student in public or non-classroom settings (photographs from classrooms or class-related activities are NOT directory information)

* If a student provides a preferred name, NDSU tries to use it when communicating directly with the student. The preferred name is also used in class/grade rosters, academic requirement reports, email addresses, etc. Preferred name is a supported business practice, unless there is a documented business or legal reason to use the student's legal name. When communicating with outside third parties, including parents, NDSU generally uses a student's legal name.

**Campus email addresses are only disclosed to requestors who agree not to use them for solicitation.

Directory Information can never include:

- Social security number
- Student identification number

- Race
- Ethnicity
- Nationality
- Gender

Student education records include information directly related to the student and maintained by North Dakota State University such as the following:

- Personal information (name, etc)
- Enrollment records
- Student's exam or paper
- Grades
- Class schedules
- Disciplinary files
- Financial aid information
- Student employment records

Storage media for an educational record may vary and can include one or more of the following:

- Document in the registrar's office
- Electronic document or e-mail
- Computer printout in your office
- Class list on your desktop
- Computer display screen
- Notes from an advising session

Can student directory or public information always be released?	NO! Before releasing any information about a student, check for a suppression in Campus Connection (blue window shade icon). If the student has requested that directory information be withheld, no information can be released. If the student does not have a restriction on the release of directory information, directory/public information may be released. Note that FERPA does not require that directory information be released. University faculty and staff who have a need to know may obtain directory information for a student with a suppression, but must not release this information to anyone.
I like to post course updates on various forms of social media – is this permitted?	It depends. Be sure to not post any course related information about grades, course enrollment, or the class schedule. In addition, asking students to “check in” on social media can raise safety and privacy concerns. Avoid taking or sharing any photos of students in any course activities, unless signed permission is obtained from each student.
How can a student withhold release of directory information?	Students can request to suppress directory/public information by contacting the Office of Registration and Records. A blue window shade icon will appear on all Campus Connection screens for students who elect to withhold information.
What are parental rights under FERPA?	FERPA allows parental access to student’s educational records if the student requests that academic and/or financial information be released to the parent(s) or if the parent claims the student as a dependent for Federal income tax purposes. A red star icon is indicated in Campus Connection if a student has authorized third party discussion. Verify names and security question and answer.
What must I do if I receive a subpoena concerning student educational records?	A copy of any incoming subpoena should be sent immediately to the Office of Registration and Records for review. It can be faxed to 701-231-8959. The original subpoena should be retained in the office that received it unless the Registrar requests it be sent to them. You should also send the Registrar a short description of how and when the subpoena was received. The Office of Registration and Records and NDUS General Counsel will determine whether and how to comply with the subpoena, and will also determine whether student notification of compliance with the subpoena is required.
For more information . . .	Contact the Office of Registration and Records, 701-231-7981, or ndsuhighereds.edu/records .

DO NOT!

- Use the Student ID number of a student in public posting of grades or any other information.
- Link the name of a student with that student’s ID number in any public manner.
- Leave graded tests, papers, or other student materials for students to pick up in a stack that requires sorting through the papers of all students.
- Circulate a printed class list with student name and Student ID number, photo, or grades as an attendance roster.
- Discuss the progress of any student with anyone other than the student (including parents) without the consent of the student.
- Provide anyone with lists or files of students enrolled in your classes for any commercial purpose.
- Provide anyone with student schedules or assist anyone other than university employees in finding a student on campus.
- Access the records of **any** student for personal reasons.
- Store confidential student information on any computer unless that information is required and secure from intrusion.

SYLLABUS TEMPLATE – MINIMUM REQUIRED INFORMATION

This template reflects NDSU Policy 331.1 Course Syllabus (www.ndsu.edu/fileadmin/policy/331_1.pdf). Please check your College policy for any additional elements required by your College.

BASIC INFORMATION

Course prefix, catalog number, and title:

Number of credits: (Note for faculty calculating credit hours: Using the Carnegie Unit system, one semester credit is equivalent to one lecture period [50 minutes] in class per week for one regular semester [15 weeks, not including final examination week]. A minimum of two 50-minute laboratory periods per week for one semester is equivalent to one credit. See <https://catalog.ndsu.edu/academic-policies/academic-credit/>.)

Term and year:

Instructor's name:

Office location:

Office hours:

Phone Number:

Email Address:

BULLETIN DESCRIPTION

Description on syllabus must be consistent with the description listed in the current course catalog (<https://catalog.ndsu.edu/>). Additional information may be included after the bulletin description.

COURSE OBJECTIVES

List the objectives, goals, aims, and/or outcomes for the course.

All General Education course syllabi and course web sites must identify the course as having been approved for General Education and include the General Education category and outcomes.

For courses offered for both undergraduate and graduate credit, course objectives should be written to clearly define the increased expectations for graduate students in these courses.

REQUIRED STUDENT RESOURCES

List books, lab manuals, technology, supplies, calculators, and any other materials required or recommended for the student to complete the course requirements.

COURSE SCHEDULE/OUTLINE/CALENDAR OF EVENTS

Provide students with a tentative projected outline of significant events that occur throughout the semester, including assignments, projects, examinations, field trips, guest speakers, etc. *For example:*

Week	Topic	Reading /Assignment
1	Introductions; Role of Cultural Competence	Chapter 1
2	Cultural Self-Assessment	Chapter 2; Articles 1-4
3	Cultural Identity	Chapter 3; "White Like Me" due
4	EXAM #1	
5	Cross Cultural Communication	Chapter 4 – 5
etc.	Working with Interpreters	Article 4-6; Reflection Paper due

Note the NDSU Dead Week policy, which limits the amount and type of exams/quizzes that may be given during the last two weeks of the semester and identifies exceptions. See NDSU Policy 336: Examinations and Grading (www.ndsu.edu/fileadmin/policy/336.pdf).

EVALUATION PROCEDURES AND GRADING CRITERIA

Indicate how students are evaluated, including tests, quizzes, papers, assignments, weight of the assignments, etc. Clearly identify how the course grades are determined.

If a course is offered for both **undergraduate and graduate credit (400/600 or 500/600)**, the additional requirements for graduate students must be clearly described on the syllabus. The same amount of credit for the course is earned by all students, but additional work is required of students enrolled under the graduate level number. These courses require a significant, identifiable higher level of expectations for the performance of the graduate students.

Evaluation procedures and criteria includes the grading scale used for the course. If points are earned, be sure the total number of points is correct and all points are accounted for in the grading scale. If using percentages indicate percentage of what. *See examples below:*

Ex.	Assignment "A"	50 points	Ex.	A =	> 360 points
	Assignment "B"	50 points		B =	320 to < 360 points
	Mid-Term Exam	100 points		C =	280 to < 320 points
	<u>Final Exam</u>	<u>100 points</u>		D =	240 to < 280 points
	Total Points	400 points		F =	< 240 points
Ex.	Assignment "A"	20% of final grade	Ex.	A =	> 90%
	Assignment "B"	20% of final grade		B =	80 to < 90%
	Mid-Term Exam	20% of final grade		C =	70 to < 80%
	Final Exam	<u>40% of final grade</u>		D =	60 to < 70%
		100%		F =	< 60%

ATTENDANCE STATEMENT

"According to [NDSU Policy 333 \(www.ndsu.edu/fileadmin/policy/333.pdf\)](http://www.ndsu.edu/fileadmin/policy/333.pdf), attendance in classes is expected." The course instructor must clearly inform students on the first day of class and in writing in the syllabus of their (1) policy regarding class absence and (2) policy, if any, for making up missed assignments. 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. See NDSU Policy 333 for faculty and student responsibilities related to attendance, including for university-sponsored activities.

Faculty are encouraged to provide the following statement on syllabi: "Veterans and student service members with special circumstances or who are activated are encouraged to notify the instructor as soon as possible and are encouraged to provide Activation Orders."

AMERICANS WITH DISABILITIES ACT FOR STUDENTS WITH SPECIAL NEEDS STATEMENT

The following statement must appear on all syllabi: "Any students with disabilities or other special needs, who need special accommodations in this course, are invited to share these concerns or requests with the instructor and contact the [Disability Services Office \(www.ndsu.edu/disabilityservices\)](http://www.ndsu.edu/disabilityservices) as soon as possible."

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) STATEMENT

The following statement must appear on all syllabi: "Your personally identifiable information and educational records as they relate to this course are subject to [FERPA](http://www.ferpa.gov)."

APPROVED ACADEMIC HONESTY STATEMENT

The following statement must appear on all syllabi: "The academic community is operated on the basis of honesty, integrity, and fair play. [NDSU Policy 335: Code of Academic Responsibility and Conduct](http://www.ndsu.edu/policy/335) applies to cases in which cheating, plagiarism, or other academic misconduct have occurred in an instructional context. Students found guilty of academic misconduct are subject to penalties, up to and possibly including suspension and/or expulsion. Student academic misconduct records are maintained by the [Office of Registration and Records](http://www.ndsu.edu/officeofregistrationandrecords). Informational resources about academic honesty for students and instructional staff members can be found at www.ndsu.edu/academichonesty."

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

SYLLABI ON WEB PAGES

Syllabi presented on web pages shall contain the date of last update.

Constructing an effective syllabus: Getting the semester off to a good start

General Advice

There are 4 critical components to an effective syllabus:

1. Clearly articulate Learning Goals and Learning Objectives:
 - a. Goals are broad statements identifying general educational outcomes for your course. When designing your course start here. Your goals should answer this question: What do you want students to be able to do or know when they leave your class at the end of the semester?
 - b. Objectives are concrete measures of how goals will be attained. Be sure your objectives are measurable....it is really hard to measure "appreciation or understanding".
 - c. Word bank to help construct objectives: analyze, compare, demonstrate, discuss, identify, justify, outline, state, appreciate, compute, direct, display, infer, list report, synthesize, classify, contrast, derive, evaluate, integrate, name, respond, define, collaborate, designate, explain, interpret, organize, solicit.
2. Content and sequencing:
 - a. Establish direct relationships between the objectives and the course content
 - b. Think of your course like a flowchart and decide what information and skills students need to meet the aims and objectives by the end of the course. Let this be your guide for the semester.
 - c. You don't have to cover everything; a course is not a textbook.
3. Assessment and evaluation:
 - a. The purpose of assessment is to establish to what extent have students achieved course objectives.
 - b. Set firm deadlines, provide feedback in a timely manner, carefully consider class size when determining frequency and depth of assignments.
4. Administration and presentation:
 - a. See practical advice below
 - b. Try to keep syllabi to about one page in length.

Practical Advice

The University Curriculum committee of Faculty Senate has a set of guidelines for the minimum information that must be included in syllabi for courses taught at NDSU (<https://www.ndsu.edu/facultysenate/acadaffairs/syllabi/>). If your course is a General Education course there are additional requirements for the syllabus (and course content), which are detailed here (https://www.ndsu.edu/facultysenate/general_education/). Some additional practical information to keep in mind as you develop your syllabus:

- We have a 17-week semester (16 with classes and a final exam week). Many faculty schedule tests either every 4th week or every 5th week of the semester for either 4 or 3 tests plus a final exam. These are busy weeks in the semester for the students.
- If you have an attendance policy, you will need to include that in your syllabus, as well as a policy for missed assignments (also a policy for make-up tests; See [Policy 333](#)).
- We do have a dead week policy: only one exam can be scheduled in the last two weeks of the semester (including exam week). This means that if you schedule an exam finals week, you may not schedule a test for the last week of classes. All classes are required to meet during the exam week, regardless of what you have planned for your final assessment.

- Most classes start Tuesday, August 23 (the exception are evening classes that start on Monday August 22)
- NDSU Holidays (no classes scheduled) for the 2022-23 academic year include:
 - Labor Day, September 5
 - Veteran's Day, November 11
 - Thanksgiving, November 23, 24, and 25
 - Dead Week: December 5-9 (we do have a dead week policy: <http://www.ndsu.edu/fileadmin/policy/336.pdf>)
 - Final Exams: December 12-16 (exam schedule: <https://www.ndsu.edu/onestop/final-exam-schedule>)
 - See this link for the academic calendar: (<https://www.ndsu.edu/onestop/academic-calendar>)
- Talk with your colleagues about teaching and syllabus development.

References:

- M. J. V. Woolcock. Constructing a Syllabus: A handbook for faculty teaching assistants and teaching fellows. The Harriet W. Sheridan Center for Teaching and Learning, Brown University: http://brown.edu/Administration/Sheridan_Center/. This handbook is helpful and includes workbook-style exercises to help you as you think about a syllabus. Much of the general advice presented here was gleaned from this handbook.
- Carnegie Mellon's site has practical advice: <http://www.cmu.edu/teaching/designteach/design/syllabus/index.html>
- Washington State University in St. Louis has:
 - Tips for Faculty Teaching for the First Time: <https://teachingcenter.wustl.edu/resources/course-design/tips-for-faculty-teaching-for-the-first-time/>
 - Tips for Teaching on the First Day of Class: <https://teachingcenter.wustl.edu/resources/course-design/using-class-time-effectively-on-day-one/>
- Ten Tips for Dealing with Nervousness on the First Day of Class from Faculty Focus: <https://www.facultyfocus.com/articles/effective-teaching-strategies/ten-tips-for-dealing-with-nervousness-the-first-day-of-class/>
- First Day of Class Activities that Create a Climate for Learning from Faculty Focus: <https://www.facultyfocus.com/articles/teaching-professor-blog/first-day-of-class-activities-that-create-a-climate-for-learning/>

Campus Connection

- **Official Student Information System**
- **Students use Campus Connection self-service to:**
 - Register for classes; View official grades; Order transcripts; Monitor degree progress; Check account balance and financial aid awards; Update contact info; Check holds; Obtain enrollment verifications; See 'to-do' lists, etc.
- **Faculty use Campus Connection self-service to:**
 - View class rosters; Enter mid-term and final grades
 - Access advisee info (contact, transcripts, academic requirement reports, photos, etc.) *See also Navigate.*
 - Maintain personal contact information
- **Blackboard Online Learning Management System**
 - A web-based classroom management tool that allows faculty to provide materials and resources for students to access
 - Final grades from Blackboard can be imported directly into Campus Connection
 - Not official system for roster updates

Obtaining Campus Connection Security Access

<https://www.ndsu.edu/registrar/facstaff/access/>

1. Obtain User ID & Password by Claiming ConnectND Account:
 - [Go to Claim Page](#)
2. [Complete NDUS Data Privacy Training](#)
 - This ***MUST*** be completed prior to submitting forms below
3. Complete & Submit Campus Connection Security Access Form:
 - [Faculty, Adjunct Faculty and Teaching Assistants](#)
 - [Professional Advisors](#)
4. **Log-in Assistance / NDUS Help Desk** 1-866-457-6387 / ndus.helpdesk@ndus.edu

Campus Connection Help

See Registration & Records website: <https://www.ndsu.edu/registrar/facstaff/cchelp/>

FACULTY & ADVISERS:

- [Academic Requirement Report](#)
- [Advisee Information](#)
- [Class Schedule, Class Rosters, and Grade Rosters](#)
- [Departmental Course Evaluations Using TES](#)
- [Holds & Service Indicators \(Placing/Releasing\)](#)
- [Sending Student Notifications](#)
- [Setting System Defaults](#)
- [Transfer Credit Reports \(for Faculty & Advisers\)](#)
- [View/Update Personal Contact Information](#)

Academic Calendar 2022-2023

Select dates. Full calendar at

<https://www.ndsu.edu/onestop/academic-calendar>**Fall 2022**

DATE	DAY	DESCRIPTION
Aug 22	Mon	Classes begin at 4:00 p.m.
Aug 23	Tue	First full day of classes
Sep 5	Mon	HOLIDAY — Labor Day (<i>no classes, offices closed</i>)
Nov 11	Fri	HOLIDAY — Veterans Day (<i>no classes, offices closed</i>)
Nov 18	Fri	Fall Commencement Participation deadline
Nov 23-25	Wed-Fri	HOLIDAY — Thanksgiving (<i>no classes; offices closed Thursday, offices open Wednesday & Friday</i>)
Dec 5-9	Mon-Fri	Dead Week
Dec 6	Tue	Grade entry begins
Dec 9	Fri	Last day of Fall classes
Dec 12-16	Mon-Fri	Final Examinations
Dec 16	Fri	Commencement ceremony (2:00 p.m. in Sanford Health Athletic Complex)
Dec 20	Tue	Grades due (12:00 p.m.)

Spring 2023

DATE	DAY	DESCRIPTION
Jan 9	Mon	Classes begin at 4:00 p.m.
Jan 10	Tue	First full day of classes
Jan 16	Mon	HOLIDAY — Martin Luther King, Jr. Day (<i>no classes, offices closed</i>)
Feb 20	Mon	HOLIDAY — Presidents' Day (<i>no classes, offices closed</i>)
Mar 13-17	Mon-Fri	Spring Break Week (<i>no classes, offices open</i>)
Apr 7-10	Fri-Mon	HOLIDAY -- Spring Recess (<i>no classes, offices closed Friday, offices open Monday</i>)
Apr 14	Fri	Spring Commencement Participation deadline
May 1-5	Mon-Fri	Dead Week
May 2	Tue	Grade entry begins
May 5	Fri	Last day of Spring classes
May 8-12	Mon-Fri	Final Examinations
May 13	Sat	Commencement ceremonies (10:00 a.m. & 2:00 a.m. in Fargodome)
May 16	Tue	Grades due (12:00 p.m.)

FINAL EXAMINATION SCHEDULE

<https://www.ndsu.edu/onestop/final-exam-schedule>

Please Note:

- Dead Week** allows for only one exam or quiz to be given, per course, during the last two weeks of the semester (prorated accordingly for variable length courses), which includes finals week. Exceptions include summer classes, self-paced/correspondence courses, make-up exams, courses in which a laboratory is incorporated with a lecture, one-credit courses, block-taught courses, approval of students enrolled in a course, and quizzes that account for less than 5% of the students' overall grade. If a professor gives an exam during the last week of classes, he/she is expected to make some instructional use of the final examination time. The Dead Week policy is available at <https://www.ndsu.edu/onestop/policies-and-procedures>.
- No student shall be obligated to take more than three (3) final examinations on the same calendar day. In the event that a student has four (4) or more final examinations on the same calendar day, the student shall notify the instructor(s) from the highest numbered course(s) no later than two weeks before the last day of class to schedule a make-up examination to be administered at a mutually acceptable time.
- Final exam times for downtown classes beginning on the half hour will be the same as main campus classes beginning at the previous full hour (e.g. 8:30 a.m. downtown = 8:00 a.m. on main campus).
- NOTE:** Classes scheduled MW, MTuWF, MWThF, MF, or WF are to follow the MWF exam times.
- Classes offered at non-standard class meeting times do not have designated final examination periods. Instructors are to make arrangements to administer examinations at times that are not disruptive to students' existing schedule of final exams. Classes scheduled during summer terms typically have final examinations scheduled on the last regular meeting day/time.

Fall 2022

Determine the day and time of the final exam by finding the regular class meeting time in the table below.

Exam Time	Monday	Tuesday	Wednesday	Thursday	Friday
8:00 a.m.	MWF 2:00 PM	MWF 10:00 AM	T TH 11:00 AM	MWF 11:00 AM	T TH 9:30 AM
10:30 a.m.	MWF 4:00 PM	T TH 3:30 PM	MWF 9:00 AM	MWF 3:00 PM	MWF 8:00 AM
1:00 p.m.	T TH 12:30 PM	T TH 2:00 PM	MWF 1:00 PM	T TH 8:00 AM	
3:30 p.m.	<i>All sections of:</i> MATH 98 MATH 103 MATH 105 ME 212	<i>All sections of:</i> MATH 104 MATH 107 MATH 144 MATH 146 MATH 147 ME 223	<i>All sections of:</i> ME 221 ME 222	MWF 12:00 PM	
5:30 p.m.	M 5:00 PM MW 5:00 PM MW 5:30 PM	T 5:00 PM T Th 5:00 PM T Th 5:30 PM.	W 5:00 PM MW 6:00 PM MW 6:30 PM	Th 5:00 PM T Th 6:00 PM T Th 6:30 PM	

NOTE: Classes scheduled MW, MTuWF, MWThF, MF, or WF are to follow the MWF exam times.

Course Changes
University Curriculum Committee – CourseLeaf
https://www.ndsu.edu/facultysenate/committees_1/ucc/

COURSE PROPOSAL CATEGORIES. The routine categories of curricular proposals are listed below:

1. Proposals for new permanent courses

Typically these courses have been taught as temporary courses at least once and meet a demonstrated need. However, in special cases, a new permanent course may be added without having been taught as a temporary course. It is helpful to the approval process if these special circumstances are explained in an attachment to the [New Course Proposal Request](#) (via CourseLeaf) at the time of submission.

2. Proposals for course changes

This category covers changes in existing permanent courses, typically changes in course titles or credits. Minor title changes are considered non-substantive and follow an expedited curricular review process. More substantive changes require multiple level approvals and requires a course syllabus. The full process is explained for [Proposing Changes to Existing Courses](#) on the Faculty Senate website.

3. Proposals for cross-listing courses

This category is to request approval of an identical course to be offered under more than departmental/unit prefix. The proposal is to be submitted by the department(s) wishing to add this as a new course to their inventory. The rationale should clearly state why the cross-listing is essential. A letter supporting the cross-listing is needed from the "parent" department (department from which the existing or new course originated).

4. Proposals for course deletions

This category removes a course from the master catalog. This action is appropriate if a course has not been taught for a long period of time, is no longer required for a curriculum, or has been replaced by a new or modified course.

5. Proposals for temporary or trial courses

Special Topics (199, 299, 399, 499, 596, 696, 796, 896)

This category includes new special topic courses to be offered only for a limited time or trial courses for which permanent numbers will eventually be sought. These courses are given the numbers 199, 299, 399, 499, 596, 696, 796 or 896 depending on the level of course (see course descriptions in the [CourseLeaf Course Inventory Management](#) module). This type of course requires approval at the level of the college in which the course is to be taught. Individual colleges must set limits on the length of time for which a temporary course is approved (e.g., for 3 years, starting with the date of approval or with the first semester in which the course is taught). After that time period, the course must be either dropped or resubmitted, unless it has been approved as a permanent course (see number 1 above). These courses are not to be included in curricular requirements.

Temporary/Trial courses (791)

These courses are temporary courses at the graduate level. Thus, this designation is used for courses expected to become permanent courses for graduate programs of study. They go through the approval process (including the Graduate Council) as if they were permanent courses. However, after being taught as a temporary course, they must be resubmitted to gain a permanent course number.

North Dakota State University

Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY

SOURCE: NDSU Faculty Senate Policy

1. ATTENDANCE

Attendance in classes is expected and important. (The term “class” includes class, online class, laboratory, field trips, group exercises, or other activities.) However, there are instances in which students are unable to attend class and in which those absences must be excused. 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

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. 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 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/administrative_units/academicaffairs/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 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.

HISTORY:

New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004
Amended	June 2007
Housekeeping	February 14, 2011
Amended	January 28, 2014
Amended	April 24, 2014
Amended	August 20, 2018