

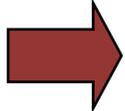
**NDSU Faculty Senate Agenda**  
December 9, 2019

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- I. Call to order
- II. Attendance
- III. Adoption of Agenda
- IV. Approval of previous meeting minutes from **November 18<sup>th</sup>, 2019**
- V. Announcements
  - a. Dean Bresciani, President
  - b. Ken Grafton, Interim Provost
  - c. Molly Secor-Turner, Faculty Senate President
  - d. Carlos Hawley, Faculty Senate President-Elect
  - e. Elizabeth Cronin, Staff Senate President
  - f. Joe Vollmer, Student Body Vice President
- VI. Committee Reports
  - a. Summer School Enrollment Ad Hoc Committee, Katie Lyman
  - b. Native American Faculty Ad Hoc Committee Formation
- VII. Consent agenda
  - a. UCC Report (forthcoming)
  - b. Policy 103: Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings
- VIII. Unfinished Business
  - a. None
- IX. New Business
  - a. Policy 151: Code of Conduct
  - b. Faculty Senate Bylaw Revisions: Addition of General Education Committee (second reading)
  - c. For Discussion Only: Provost Search Process
- X. Adjourn

# Policy Change Cover Sheet

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



*If the changes you are requesting include housekeeping, please submit those changes to [ndsuscc@ndsuscc.edu](mailto:ndsuscc@ndsuscc.edu) first so that a clean policy can be presented to the committees.*

**SECTION: Policy Number and Name 103 EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY ON THE ANNOUNCEMENT OF POSITION OPENINGS**

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
  - Is this a federal or state mandate?  Yes  NoX
  - Describe change: Definition of promotion for staff member
2. This policy change was originated by (individual, office or committee/organization):
  - Office/Department/Name and the date submitted Human Resources 10/28/2019
  - Email address of the person who should be contacted with revisions [john.woolsey@ndsuscc.edu](mailto:john.woolsey@ndsuscc.edu)

*This portion will be completed by Heather Higgins-Dochtermann.*

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

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

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

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

# North Dakota State University

## Policy Manual

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### SECTION 103

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

SOURCE: NDSU President

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

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

#### STAFF

1. Staff (as defined in [NDSU Policy 101.1](#) generally referred to as “broadbanded employees” include those positions in the following job band: 1000, 3000, 4000, 5000, 6000, and 7000).
  - 1.1 If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for equal to or more than twenty weeks, the position shall be announced throughout the appropriate recruiting area as defined in Section [200](#) of this Manual.
  - 1.2 Generally speaking, the recruiting areas are as follows for staff positions:
    - 1.2.1 Administrative/managerial positions in the 1000 band: national.
    - 1.2.2 Professional positions in the 3000 band: regional.
    - 1.2.3 Technical/Paraprofessional (4000); Office Support (5000) Crafts/Trades (6000); and Services (7000): local (Fargo-Moorhead community and/or surrounding counties as applicable).
  - 1.3 When a benefitted staff position vacancy occurs and there is a pool of regular employees appropriately qualified for transfer or promotion (including former employees covered by Reduction in Force policy [Section 223](#)), a unit supervisor may choose to advertise a vacant position internally for a minimum of five working days prior to initiating an external search. [Promotion for staff employees is defined as those positions that result in a change of title and compensation associated with it.](#) The procedures, which involve utilizing the online application system for these internal searches, will be the same as those external searches as mentioned in subsection 1 (see Section [202](#)). The Human Resources/Payroll Office, in consultation with the unit supervisor, will be responsible to determine whether a pool of appropriately qualified employees exists.
  - 1.4 If the appointment is either less than .50 FTE or clearly stipulated to be for a total duration of less than twenty weeks (non-benefitted), no formal position announcement posting to the online employment application system is required. Unit supervisors are, however, encouraged to announce benefitted positions. The announcement may be distributed within

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

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

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

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

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

#### Faculty and Executive/Administrative Staff

2. Executive/Administrative (primarily in 0000 job bands) and benefitted Academic Staff (in 2000 band – bands are defined in [NDSU Policy 101.1](#)), generally referred to as “non-banded employees,” include such positions as tenured and tenure-track faculty and deans. Recruitment falls under two primary categories: half time or less or interim (2.1) and more than half time (2.2).
  - 2.1 Titled and/or Compensated Positions (Less Than .50 FTE or Interim)

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

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

## 2.2 Equal to or Greater Than .50 FTE, Non-Interim Positions

If the appointment is to be .50 FTE or more and the expectation is that the appointee will serve for equal to or more than twenty weeks, the position shall be announced throughout the appropriate recruiting areas as defined in [Section 103.1](#) of this Manual (with the exception of graduate level degree seeking students).

### 2.2.1 Generally speaking, the recruiting areas are:

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

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

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

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

2.2.3 The search committee shall be involved in recruiting, screening, and interviewing applicants, with particular responsibility for affirmative action efforts to solicit and include applicants from underrepresented and protected groups. Selection from the group of finalists is the responsibility of the unit administrator and is based on the recommendation of the search committee. The Vice Provost for Faculty and Equity, or designee shall be considered an ex officio member of each search committee and will be available to assist the committee in fulfilling its responsibilities.

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

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

2.2.4.2 An externally funded appointment as a postdoctoral fellow, research scientist, or broadbanded research professional in a

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

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

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

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

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

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

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

- 2.2.4.6.1 An injury resulting in worker's compensation award and

subsequent retraining; or

#### 2.2.4.6.2 A reduction-in-force.

#### All Positions

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

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#### HISTORY:

New	May 15, 1978
Amended	February 6, 1979
Amended	April 21, 1981
Amended	November 13, 1989
Amended	September 24, 1991
Amended	April 1992
Amended	August 1993
Amended	December 1994
Amended	May 4, 1999
Amended	October 2001
Amended	October 2004
Amended	April 2005
Amended	October 2006
Amended	October 2007
Amended	May 2008
Housekeeping	September 2009
Housekeeping	July 2010
Amended	October 2010
Housekeeping	December 2010
Housekeeping	March 2011
Amended	September 30, 2012
Amended	February 4, 2014
Housekeeping	March 20, 2014
Amended	April 24, 2014
Amended	December 12, 2014
Housekeeping	June 4, 2015
Housekeeping	April 14, 2016
Housekeeping	March 16, 2017

# North Dakota State University

## Policy Manual

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### SECTION 151 CODE OF CONDUCT

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

1. Introduction and Application.

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

2. General Conduct.

NDSU supports an environment that is free of discrimination, ~~or~~ harassment, and 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.

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 targets'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 Those involved in bullying are encouraged to consider informal methods of resolution. Resources to assist with an informal resolution are available through the Office of the Ombuds. However, 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 accordance with the best interests of NDSU. All employees must comply with applicable federal and state laws. Employees may not unlawfully use their position or the knowledge gained as a result of their position for private or personal advantage. All employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of federal or state law or SBHE policy or NDSU policy is encouraged to communicate with a superior or appropriate administrative official at NDSU..

#### 3.1 Conflict of Interest – Contracts.

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

*Pursuant to N.D.C.C. Section 48-02-12, employees may not have any interest in a public construction or repair contract.*

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

- a. *N.D.C.C. Sections 12.1-13-03 and 48-02-12 do not apply; and*

- b. *The contract is approved by the NDSU President or designee or, if the employee in question is the chief financial officer or president of an institution or an officer of the Board, by the Board, following full disclosure of the employee's interest.*

*All employees involved in projects receiving federal funds shall consult applicable federal laws and regulations and comply with conflict of interest rules which may govern federal grants or other sponsored agreements.*

*An employee who violates this policy is subject to dismissal or other disciplinary action.*

*Employees of NDSU authorized (including delegated authority) by Policy 712 to enter into contracts on behalf of the University must sign the North Dakota State University Conflict of Interest Disclosure Statement. All other employees will be provided notice about this Policy but need only sign the statement if they have a conflict. Notices and collection of statements shall be administered by the Purchasing Office.*

*Employees have an obligation to act in the best interests of NDSU. Any direct or indirect personal or financial interest which could create a conflict of interest or the appearance of a conflict of interest in any agreement, transaction or relationship must be disclosed by the employee by completing and signing the North Dakota State University Conflict of Interest Disclosure Statement and submitting it to the employee's supervisor. This includes but is not limited to the disclosure of privately owned assets being used or otherwise commingled with state assets and participation in any foundation, business or public entity which may create a conflict with an employee's obligations to NDSU. See also NDSU Policy 152: External Professional Activities.*

#### 4. Outside Activities and Employment.

Employees share responsibility for good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to NDSU and is encouraged. However, employees must comply with applicable federal and state laws, policies in Section 611 of the SBHE Manual and NDSU related policies. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving NDSU of their best efforts in fulfilling their job duties or that create a conflict of interest, or an obligation, interest, or distraction that interferes with the independent exercise of judgment in NDSU's best interest.

#### 5. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions.

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

#### 6. NDSU Funds and Other Assets

Employees who have access to NDSU funds and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDSU procedure manuals or other explanatory materials. Any person who has

information concerning possible fraud or dishonesty shall immediately report such information to a superior or appropriate administrative official at NDSU. .

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

7. NDSU Records and Communications.

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

8. Dealing with Outside People and Organizations.

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

9. Prompt Communications.

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

10. Privacy, Confidentiality and Open Records.

Employees must at all times comply with applicable laws, regulations and SBHE and NDSU policies concerning privacy, confidential records, access to open records and records retention.

11. [Reporting Suspected Violations; Procedures for Investigating Reports.](#)

Employees shall report suspected violations of this Code to their superior, or appropriate administrative official at NDSU. [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 In addition, the Suspected violations of this policy related to fraud should be reported utilizing the NDSU maintains a [fraud hotline](#) and suspected violations may be reported by use of that hotline.~~

~~11.2 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.~~

~~Alleged violations of this Code involving NDSU employees shall be investigated by the appropriate NDSU officer. All employees shall cooperate in investigations of alleged violations. A violation of this Code is cause for dismissal or other appropriate disciplinary action, in addition to any criminal or other civil sanctions that apply.~~

#### Institution Codes.

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

- a. A Statement of the organization's values;
- b. The people or groups of people affected;
- c. A brief description or list of key behaviors that are accepted and not accepted;
- d. How to identify and resolve conflicts of interest;
- e. How to report violations and to whom;
- f. Consequences of violating the Code;
- g. Consequences of failure to report known or suspected violations; and
- h. How reports will be investigated.

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

#### Resources and Related Policies:

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

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

[NDSU Policy 100.1: Nondiscrimination of the Basis of Disabilities and Reasonable Accommodation](#)

[NDSU Policy 112: Pre-employment and Current Employee Criminal Record Disclosure](#)

[NDSU Policy 151.1: External Activities and Conflicts of Interest](#)

[NDSU Policy 152: External Professional Activities](#)

[NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees](#)

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[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: \(See section 44-04-09: Nepotism.\)](#)

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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

# NDSU Faculty Senate Bylaws

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## Article I: Faculty Senate Membership

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### Section 1.

Each representation unit shall have one elected Faculty Senator (hereto within referred to as "Senator") for every fifteen eligible faculty members (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the representation unit as of October 1 of the previous academic year. Faculty members, regardless of their location (*e.g.*, Agriculture Experimental Station and the NDSU Extension Service), shall be counted in and vote with their assigned representation unit.

### Section 2.

Members of representation units, including senior lecturers, assistant/associate/full professors of practice, assistant/associate/full professor of research, assistant/associate/full professors, chairs/heads/or their equivalents, assistant/associate deans, and deans shall be eligible to vote for representatives.

### Section 3.

The following are considered representation units for the purposes of determining Senate (hereto within referred to as "Senate") seats:

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

### Section 4.

The Senate President (hereto within referred to as "President") with the assistance of the Senate Secretary (hereto within referred to as "Secretary") will stagger Senate terms so that approximately one-third of the Senators from each representation unit are elected each year. Each unit shall hold a meeting to elect the necessary Senators by April 15 of each year for the term to begin in May of that year.

### Section 5.

Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected Senator shall be three years. Senators cannot be reelected for consecutive terms.

### Section 6.

If a Senator must vacate her/his seat, the vacancy shall be filled by a special election within the unit from which she/he was elected. The term of a member under these circumstances shall commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

**Section 7.**

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

**Section 8.**

All Senators are expected to:

1. Attend all Senate meetings. If unable to attend the meeting, the Senator must find a competent substitute (who is not already a Senator) to act as her/his proxy at the meeting. Said proxy will have all rights and privileges accorded a regular Senator. The Senator must provide signed notification of the substitution to the Secretary prior to start of the meeting.
2. Prepare for Senate meetings, including reading the agenda and all attachments prior to the meeting.
3. Participate in meetings, as long as doing so advances the business of the Senate.
4. Disseminate Senate information to their individual representation units.
5. Gather opinions and other information from their representation units concerning Senate activity.
6. Show proper decorum during meetings.

## **Article II: Organization and Faculty Senate Operation**

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### **Section 1.**

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

### **Section 2.**

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

### **Section 3.**

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

### **Section 4.**

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

### **Section 5.**

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

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

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

#### **Section 6.**

Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Senate in consultation with the Senate Executive Committee.
3. Serve on the Senate Coordinating Council.
4. Chair the Senate Executive Committee.
5. Introduce the President at the State of the University Address.
6. Appoint committee members, as outlined in Articles IV and V.
7. Coordinate the dissemination of information relating to Senate activities.
8. Represent the Senate on administrative councils.
9. Provide the Secretary and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Moderate the official faculty listserv.

#### **Section 7.**

Duties of the President-Elect shall include the following:

1. Assist the President in executing the duties of the office.
2. Serve as President during any absence by the President.
3. Serve on the Executive Committee.
4. Serve on the Senate Coordinating Council.
5. Represent the Senate to the Staff Senate and the Student Government.

#### **Section 8.**

Duties of the Immediate Past President shall include the following:

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

#### **Section 9.**

The administrative role of Secretary shall be appointed by Office of the Provost; the Secretary is not a voting member of the Senate. The duties of the Secretary shall include:

1. Acquire the agenda and related attachments, if any, from the President, then prepare and

- disseminate the agenda in accordance with Article II, Section 13.
2. Maintain a current roster of Senators and record attendance to confirm a quorum.
  3. Collect and read the member substitution authorizations at the meeting.
  4. Record and prepare meeting minutes.
  5. Disseminate meeting minutes according to Article II, Section 16.
  6. Schedule a room for all Senate meetings.
  7. Maintain a permanent record of Senate minutes.
  8. Maintain a permanent record of annual reports submitted by the President and Chairs of Senate committees.
  9. Maintain records of standing committee membership.
  10. Prepare updated versions of the Constitution for distribution.
  11. Archive all past versions of Constitutions and Bylaws.
  12. Verify the eligibility of Senators and committee members.
  13. ~~Perform other appropriate tasks as assigned by the President in consultation with Office of the Provost.~~

**Section 10.**

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

**Section 11.**

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

**Section 12.**

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

**Section 13.**

Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a Senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

**Section 14.**

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

following matters:

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

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

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

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

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

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

#### **Section 15.**

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

#### **Section 16.**

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

## **Article III: Faculty Senate Committees**

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### **Section 1.**

Duties of standing committees include:

1. Selecting a chair who will serve as a liaison to the Senate.
2. Initiating and reviewing policy and policy changes in their areas of responsibility.
3. Providing their recommendations to the Senate for action.
4. Consulting with and providing advice to the Administration, students, and staff when requested to do so.
5. Promptly and responsively discharging their duties.

### **Section 2.**

The Senate shall confirm the membership of all standing committees, except the Standing Committee on Faculty Rights.

### **Section 3.**

Committees shall determine their own procedural rules. However, no committee shall conduct business without a majority of members present. Each committee will keep such records as necessary to conduct business. In addition, every Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress to the Senate at the President's request. Committees will also submit a written report at the end of the academic year.

### **Section 4.**

Individual representation units will determine their own methods for selecting members of standing committees consistent with Articles IV and V. Unit representatives shall be faculty members as defined by the Senate's Constitution, unless otherwise specified under the committee description. Such membership shall be presented to the Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last Senate meeting of the spring semester, unless otherwise specified.

### **Section 5.**

After the Senate has approved membership in the standing committees, each committee will meet and elect a chair, who will communicate all committee business to the Senate. The Senate Executive Committee has the right to remove the chair of a standing committee and seek a replacement from the standing committee membership if the chair is not effectively performing their duties.

### **Section 6.**

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

### **Section 7.**

The Senate may create special committees as it deems necessary. Such committees shall be discharged upon the completion of their assigned duties. The duties of a special committee should not duplicate work being done by or usurp the responsibility of a standing committee without approval by said standing committee. Special committees shall be commissioned by a majority vote of the full Senate.

## **Article IV: Faculty Senate Standing Committees**

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### **Section 1. Academic Integrity**

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

### **Section 2. Budget**

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

- a. Become familiar with the University budget process.
- b. Develop a set of guiding principles which align with strategic priorities, with the intent of informing University budget decisions from a faculty perspective.
- c. Solicit input regarding the budget process from a wide range of faculty and on an ongoing basis.
- d. Serve as a resource for the Provost in budget matters.
- e. Act as a conduit of information between faculty and Administration for budget discussions and decisions.

### **Section 3. Conflict of Interest Advisory**

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

### **Section 4. Council of College Faculties**

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

### **Section 5. Equity and Diversity**

1. Voting membership (six members):
  - a. Five faculty members.
  - b. One faculty representative from the Commission on the Status of Women Faculty
    - i. Recommended by the Executive Committee. The Executive Committee shall strive for representation from diverse groups.
    - ii. Appointed by the President.
2. Non-voting membership (one member):
  - a. Vice Provost for Faculty Affairs and Equity.
3. Terms and limits:
  - a. Two-year term.
  - b. Limit of four consecutive terms.
4. Committee responsibilities:
  - a. Review, revise, and propose policies to ensure that rights and considerations of diverse groups or faculty are included in NDSU policy, practices, and procedures.
  - b. In particular, the committee will explore and identify ways that NDSU can be more inclusive for diverse faculty including women, people of color, LGBTQ (lesbian, gay, bisexual, transgender, and/or queer) people.

### **Section 6. Executive Committee**

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

### **Section 7. Faculty Affairs**

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

### **Section 9. Faculty Rights**

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

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

**Section 10. General Education Committee**

1. Voting membership (10 members):

1. One faculty member from each of the following Colleges: Agriculture, Food Systems, and Natural Resources; Business; Engineering; ~~and Health Professions~~; Arts, Humanities and Social Sciences; Human Sciences and Education; Science and Mathematics

1. Each representative College shall also select an alternate faculty member to serve in case of recusal or absence.

~~Two faculty members from each of the following Colleges: Arts, Humanities and Social Sciences; Human Sciences and Education; Science and Mathematics~~

2. One undergraduate student, appointed by the Student Government.

3. Only a voting faculty member will be elected as Chair, and the Chair shall have served at least one year on the committee.

2. Non-voting membership (four members):

1. Director of Assessment and Accreditation

2. One representative of the Registrar's Office, designated by the Registrar.

3. One representative of the Libraries, designated by the Dean of Libraries.

4. One representative from Institutional Research, designated by Institutional Research.

3. Terms and limits:

1. Three-year terms

2. No consecutive terms for voting members. No restriction for non-voting members.

3. Terms shall be staggered so that no more than one-third of the members are new.

4. Committee responsibilities:

1. Review new general education courses to ensure and validate that the general education outcomes are being met.

2. Complete the revalidation of courses and experiences on a periodic, five-year timeline to ensure that general education outcomes are being met. The course revalidation should be staggered to review approximately 20% of the general education courses each year.

3. Review General Education Appeal petitions.

4. Develop and maintain a plan for assessment of General Education Program-level learning outcomes.

5. Conduct periodic assessment of students' attainment of general education learning outcomes.

6. Develop a university policy governing the policy and procedures for general education revalidation

7. Perform other appropriate duties as assigned by the Senate.

8. Selecting two representatives and one alternate for the North Dakota General Education Council.

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### **Section 101. Grade Appeals Board**

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

### **Section 142. Program Review**

1. Voting membership (eleven members):
  - a. One tenured faculty member from each representation unit.
    - i. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
  - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
  - c. One faculty representative of the Provost's Office, designated by the Provost.
  - d. Two students selected by the Student Government.
2. Non-voting membership:
  - a. There are no non-voting members for this committee.
3. Terms and limits:
  - a. Four-year term.
  - b. Limit of two consecutive terms.
4. Committee responsibilities:
  - a. Develop criteria and procedures for review of academic programs.
  - b. Perform a continuing review of graduate and undergraduate academic programs with regard to such factors as mission, need, quality, cost, and contribution to other programs.

- c. Address concerns and make recommendation to the Senate regarding duplication of programs and courses.
- d. Recommend policies for University support to individual programs.
- e. Coordinate the time of and use of external program reviews by accrediting agencies and/or other expert evaluators in its review of specific academic programs.

#### **Section 123. Research and Consulting**

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

#### **Section 134. Technology and Instructional Services**

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

## Section 145. University Curriculum

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

## **Article V: Joint Standing Committees**

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### **Section 1. Senate Coordinating Council**

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

### **Section 2. Campus Space & Facilities**

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

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

### **Section 3. Library**

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

### **Section 4. University Athletics**

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

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

#### **Section 6. University Assessment**

1. Voting membership (seventeen members):
  - a. One faculty member from each representation unit.
  - b. One representative from the General Education Committee.
  - c. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
  - d. Provost (or designee).
  - e. Two students (one undergraduate and one graduate), appointed by Student Government.
  - f. One representative from the Division of Student Affairs and Enrollment Management.
  - g. One representative from the NDSU Extension Service.
  - h. One representative from the Office of Institutional, Research and Analysis.
  - i. One representative from Distance and Continuing Education.
  - j. Director of the Office of Accreditation and Assessment.
2. Non-voting membership:
  - a. There are no non-voting members for this committee.
3. Terms and limits:
  - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:

- a. Periodic review of the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and Enrollment Management and in the NDSU Extension Service.
- b. Develop procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs and Enrollment Management, and the NDSU Extension Service on their assessment activities.
- c. Provide feedback and assistance to departments and other academic units on their assessment activities.
- d. Provide a yearly summary of assessment activities to the Senate, the Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

## **Article VI: Amending the Bylaws**

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### **Section 1.**

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

### **Section 2.**

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

### **Section 3.**

At the next regular meeting of the Senate, if approved by two-third of the ballots cast, the change will be submitted to the University President.

### **Section 4.**

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

**University Curriculum Committee  
For Faculty Senate Meeting on December 9, 2019**

<b>New Programs</b>
new minor – Banking
new certificate – New Institutional Social Science

<b>Program Changes</b>
Accounting minor – removing the junior or senior standing requirement.
Anthropology – B.S./B.A.: changing their minimum grade requirement for the courses in the Core Requirements.
Business Administration minor - removing the junior or senior standing requirement.
Logistics Management minor - removing the junior or senior standing requirement.
Management Information Systems minor - removing the junior or senior standing requirement.

<b>General Education Recommendations</b>
ANTH 205, Human Origins – recommended for approval for Social and Behavioral Sciences and Cultural Diversity
ANTH 206, Introduction to Cultural Anthropology: Peoples of the World – recommended for approval for Social and Behavioral Sciences and Cultural Diversity
FREN 360, Studies in Language and Style – recommended for approval for the Communications category
POLS 220, International Politics – revalidation for Social and Behavioral Sciences and Global Perspectives

<b>New Courses</b>			
<b>Subject</b>	<b>No.</b>	<b>Title</b>	<b>Effective Term</b>
BUSN	380	Business Analytics: Business Problem Solving with Spreadsheets	Fall 2020
CE	474/674	Groundwater Sustainability Design	Spring 2020
ECON	675	Health Economics	Spring 2021
ENVE	111	Introduction to Environmental Engineering	Fall 2020
ENVE	211	Analysis and Design Methods for Environmental Engineers	Spring 2021
PAG	454	Applications of Precision Agriculture	Spring 2020

<b>Course Changes</b>								
<b>From:</b>				<b>To:</b>				
<b>Subject</b>	<b>No.</b>	<b>Title</b>	<b>Crs.</b>	<b>Dept</b>	<b>No.</b>	<b>Title</b>	<b>Crs.</b>	<b>Effective Term</b>
ENGR	722	Academic Writing in the Engineering Disciplines	2	ENGR	722	Academic Writing in the Engineering Disciplines	3	Spring 2020
MUSC	357	Marching Band/Jazz Methods and Techniques	2	MUSC	357	<b>Marching Band Methods and Techniques</b>	1	Fall 2020
MUSC	735	Classroom Pedagogy	3	MUSC	735	<b>Music Theory Pedagogy I</b>	3	Spring 2020
MUSC	736	Music Theory Pedagogy	3	MUSC	736	<b>Music Theory Pedagogy II</b>	3	Spring 2020
SAFE	440/640	Hazard Analysis Critical Control Point (HAACP) and Food Safety Systems	2	<b>ANSC</b>	440/640	Hazard Analysis Critical Control Point (HAACP) and Food Safety Systems	2	Spring 2020

<b>Changes in Prerequisites/Co-Requisites/Course Descriptions</b>				
<b>Subject</b>	<b>No.</b>	<b>Title</b>	<b>Prerequisite/Co-requisite/Description Change</b>	<b>Effective Term</b>
ACCT	415	Advanced Accounting	Prereq: remove junior or senior standing as a prerequisite.	Spring 2020
ACCT	418	Tax Accounting I	Prereq: remove junior or senior standing as a prerequisite.	Spring 2020
ACCT	425	Government and Not-For-Profit Accounting	Prereq: remove junior or senior standing as a prerequisite.	Spring 2020
GERM	312	German Conversation and Composition II	Prereq: GERM 311 or equivalent	Spring 2020
MUSC	357	Marching Band Methods and Techniques	Desc: This course is intended to assist in developing the skills and knowledge essential for the successful administration and implementation of a sports band (marching and pep bands) program within the public school context.	Fall 2020
MUSC	735	Music Theory Pedagogy I	Desc: Organization, goals, and procedures for teaching music theory and ear training to undergraduates, with an emphasis on ear training. Topics include: choice and sequencing of topics, pacing of courses, supplementary materials, educational philosophies, and the relevance of theory, ear training, and analysis to performance.	Spring 2020

Changes in Prerequisites/Co-Requisites/Course Descriptions (continued)				
MUSC	736	Music Theory Pedagogy II	Desc: Organization, goals, and procedures for teaching music theory and ear training to undergraduates, with an emphasis on written theory. Topics include: choice and sequencing of topics, pacing of courses, supplementary materials, educational philosophies, and the relevance of theory, ear training, and analysis to performance.	Spring 2020
PSYC	653	Organizational Psychology	Desc: Survey of topics related to application of psychology to organizational settings. Emphasis on the theoretical bases of the individual (leadership, decision making) (motivation, satisfaction) and social (influence, workgroup) (leadership, work group) factors involved in work behavior.	Spring 2020

New Special Topics Courses – FYI only			
Subject	No.	Title	Effective Term
ANSC	796	Introduction to R Programming in Quantitative Genetics (approved for Spring 2020 semester only)	Spring 2020
CPM	796	Polymeric Materials Design	Spring 2020