

**Meeting Agenda**

February 8, 2021

- I. Call to Order.
- II. Attendance.
- III. Adoption of the Agenda.
- IV. Approval of Meeting Minutes from January 11, 2021.
- V. Announcements.
  1. Dean Bresciani, President
  2. Margaret Fitzgerald, Provost
  3. Florin Salajan, Faculty Senate President
  4. Molly Secor-Turner, Faculty Senate Past-President
  5. Anastasiya Andrianova, Faculty Senate Acting President-Elect
  6. Maggie Latterell, Staff Senate President
  7. Matthew Friedmann, Student Body President
  8. Philip Hunt, Registrar
- VI. Committee and Other Reports.
  1. Budget Committee report
  2. Shared Governance Ad-Hoc Committee report
- VII. Consent Agenda.
  1. UCC Report
- VIII. Unfinished Business.
  1. NDSU Counsel legislative overview on faculty interaction with legislators
- IX. New Business.
  1. Confirmation of members for the Equity and Diversity Committee
  2. Confirmation of new member for the Academic Integrity Committee
  3. Amendment of Article IV, Section 5 of Faculty Senate Bylaws
  4. Formation of an Ad-Hoc Faculty Legislative Committee
  5. Faculty Senate Resolution of Censure
- X. Adjournment.

## Meeting Minutes

January 11, 2021

I. Call to Order. - *meeting called to order by President Salajan at 3:02pm.*

II. Attendance.

Faculty Senate Members		Substitutions	Present
Molly Secor-Turner, Past President			x
Florin Salajan, President			x
Ali Amiri, Parliamentarian			x
Christopher Byrd	AFSNR		x
Tom DeSutter	AFSNR		x
Andrew Green	AFSNR		x
Jeremy Jackson	AFSNR	Robert Hearne	x
Ryan Limb	AFSNR		x
Birgit Pruess	AFSNR		x
David Ripplinger	AFSNR		
Guiping Yan	AFSNR		x
Eric Berg	AFSNR		x
Qi Zhang	AFSNR		x
Bakr Aly Ahmed	AHHS		x
Anastassiya Andrianova, Acting President Elect	AHHS		x
Lisa Arnold	AHHS		x
Sean Burt	AHHS		x
John Creese	AHHS		x
Pam Emanuelson	AHHS		x
Kristen Fellows	AHHS		x
Holly Hassel	AHHS		x
Dan Pemstein	AHHS		x
Onnolee Nordstrom	BUS		x
Fred Riggins	BUS		x
Ruilin Tian	BUS		x
Eric Asa	ENG		x
Long Jian	ENG		x
Zhibin Lin	ENG		x

Majura Selekwa	ENG		x
Changhui Yan	ENG		x
Shannon Harriger	HP		x
Mary Larson	HP		x
Sharon Nelson	HP		x
Stephen O'Rourke	HP		x
Sara Thompson	HP		x
Amelia Asperin	HSE		x
Katie Lyman	HSE		x
Kimberly Overson	HSE		x
Tom Carlson	HSE		x
Laura Aldrich-Wolfe	SM		x
Josef Dorfmeister	SM		x
John Hershberger	SM		x
Ken Lepper	SM		x
Mark McCourt	SM		x
Kent Rodgers	SM		x
Abraham Ungar	SM		x
Pinjing Zhao	SM		x

III. Adoption of the Agenda. - *Motion to approve by Sen. Aly Ahmed, second by Sen. Emanuelson. Vote by acclamation; passed unanimously.*

IV. Approval of Meeting Minutes from December 14, 2020. - *Motion to approve by Sen. Secor-Turner, second by Sen. Larson. Vote by acclamation; passed unanimously.*

V. Announcements.

1. Dean Bresciani, President - *Reports being busy with legislative session. All of the sessions are now videocast, so all of us can listen to the entirety of any hearing. This means that someone from NDSU can listen to all hearings to become aware of any issues that may affect NDSU and/or UND. However, this is very time consuming, and the current system limits who can speak; looking into ways for campus representatives to participate in the hearings. NDSU main appropriations hearings are Wednesday of next week, as well as Agriculture appropriations and Northern Plains Transportation Institute, Forest Service, and Northern Crops. Mood continues to be overall positive toward higher education.*

*Question by Sen. Selekwa: What is the outcome of the work that has been done on campus regarding hate speech? President Bresciani reported that the task force has been working on a policy regarding the bar at which campus will be notified of incidents. Draft report will be submitted this week, and the task force will complete its work.*

2. Margaret Fitzgerald, Provost - *no announcements. Conversation with Colleagues set for Thursday afternoon (1/14/21).*

3. Florin Salajan, Faculty Senate President - *Reports working on filling the Faculty Senate Equity, Diversity, and Inclusion Standing Committee. Has received nominations from all but two colleges. Also, reminder that a request has been sent out over email for nominations to serve as a representative to the NDUS Retirement Plan Oversight Committee on CCF.*

4. Molly Secor-Turner, Faculty Senate Past-President - *no announcements.*

5. Anastasiya Andrianova, Faculty Senate Acting President-Elect - *no announcements.*

6. Maggie Latterell, Staff Senate President - *Reminder and invitation for virtual NDSU Day of Honor, Wednesday 1/13/21 at 2:30pm. The Zoom link/information will go out over email. Video will be made accessible following the event.*

7. Matthew Friedmann, Student Body President - *Thanks Faculty Senate leadership for supporting diversity, equity and inclusion on campus and the pass/fail deadline extension last semester, which received positive feedback from students and is the most important achievement of Student Senate. Students are excited to be back and get the semester going, and are looking forward to more face-to-face instruction on campus.*

8. Philip Hunt, Registrar - *no updates or announcements. Sen. Aly Ahmed asked to follow up regarding the change to a +/- grading system. Registrar Hunt reported that the grading software system does support +/- grading, but that the change would need to be processed through the faculty governance system and the NDUS system.*

9. Stacy Duffield, OTL Director - *Introduction of Dr. Duffield as the new director of the Office of Teaching and Learning. Reminder of services available: Group Decision Center, peer review of teaching, individual consulting/support for assessment and instructional design and redesign, and K-12 educator courses.*

## VI. Committee and Other Reports.

1. Budget Committee report - *Committee has not met since last Faculty Senate meeting. No report. Provost Fitzgerald reports that Huron Consulting was selected for Strategic Prioritization process. Contract starts on Jan. 18<sup>th</sup>.*

2. General Education Committee report - *see attached General Education Report to Senate (sent to Faculty Senate over email on Jan. 11<sup>th</sup>). Highlights provided by Dr. Boyer (Director of Assessment and Accreditation) and Sen. Hassel. Two previous Higher Learning Commission Review teams have identified that NDSU lacks a consistent and systemic approach to General Education assessment of student learning across programs. Working to create a systemic and sustainable assessment that is focused on improving future student learning. Currently continuing with the 5-year assessment cycle of Gen Ed courses previously established while looking ahead to revisions of the current Gen Ed program. In the process of gathering relevant evidence, providing faculty support related to Gen Ed on campus, and updating the website. President Salajan explained that General Education was voted as one of Faculty Senate's priorities, which is why the committee was asked to provide a report.*

#### VII. Consent Agenda.

1. Policy 156
2. Policy 338
3. Policy 605
4. Policy 816
5. Policy 817

*Sen. Andrianova move to approve consent agenda, second by Sen. Aly Ahmed. No discussion. Vote by electronic poll: 41 yes votes, 1 no vote, 2 abstentions. Consent agenda approved.*

#### VIII. Unfinished Business.

*Sen. DeSutter motion to remove the previously tabled letter of support for Provost Fitzgerald from the table; second by Sen. Green. Vote by electronic poll: 25 yes votes, 10 no votes, 6 abstentions. Motion approved.*

*Dr. Hearne proxy motion to enter executive session, second by Sen. McCourt. Vote by electronic poll: 37 yes votes, 3 no votes, 2 abstentions.*

*Entered executive session at 3:50pm. Those in attendance during executive session: President Salajan, Senators Secor-Turner, Ungar, Hershberger, Zhang, Andrianova, Asperin, Green, Pruess, Byrd, Pemstein, Asa, Berg, Riggins, Yan, Creese, Dorfmeister, Lyman, Lepper, Rodgers, Overton, Fellows, Aldrich-Wolfe, Arnold, Jiang, Selekwa, McCourt, Nordstrom, Emanuelson, Zhao, Tian, Limb, Thompson, Burt, Harriger, Nelson, O'Rourke, DeSutter, Lin, Aly Ahmed, Hassel, and Angela Bachman.*

*Discussion. Vote by electronic poll. Motion failed. Letter of support not approved.*

*Sen. Aly Ahmed motion to end executive session, second by Sen. Lepper. Vote by acclamation, passed unanimously.*

*Exited executive session at 4:18pm.*

#### **IX. New Business.**

1. Policy 801 - *Sen. Larson motion to approve, second Sen. Secor-Turner. Sen. Rodgers expressed concern regarding the rationale for the change in policy. Explained he received explanation that points 5 and 6 are removed as they are procedural. Sen. Rodgers suggests that point 5 remain in the policy. Sen. Larson amended motion to retain item 5 in the policy, seconded by Sen. Secor-Turner. Vote by electronic poll: 35 yes votes, 0 no votes, 2 abstentions. Motion approved.*

2. NDSU Counsel legislative overview on faculty interaction with legislators (discussion only item) - *Sen. Andrianova motion to postpone until the next meeting, second by Sen. Secor-Turner. Vote by electronic poll: 36 yes votes, 0 no votes, 1 abstention.*

X. Adjournment. - *Motion to adjourn by Sen. Aly Ahmed, second by Asperin. Vote by acclamation; unanimous approval.*

*Meeting adjourned at 4:32pm.*

**University Curriculum Committee Report  
For Faculty Senate Meeting on February 8, 2021**

<b>Program Changes</b>
BFA, Theatre Arts Musical Theatre Track – ENGL 380 no longer required for Musical Theatre track. THEA 481 no longer being offered. THEA 463 and THEA 469 are new Musical Theatre Courses.
BSENVE, Environmental Engineering – changed the requirements for the technical elective credits and cleaned up the curriculum organization.
MEd, Agricultural Education – creating new options for the degree.
Business Administration minor – changes were made to make the minor more manageable and appealing to students.
Honors minor – electives changed so that there wouldn't be so many substitutions needed. HON 251 replacing HON 291.
MS, Agricultural Education - Added H&CE 794 for clarity with those students not choosing a thesis route in options B or C for the grad school. Removed H&CE 746 which is not offered any longer.

<b>New Program</b>
Undergraduate Certificate – Aging Studies

<b>General Education changes</b>
HON 151: Sapien Logic – approved for the Cultural Diversity category retroactive to Fall 2020 semester.

<b>New Courses</b>			
<b>Subject</b>	<b>No.</b>	<b>Title</b>	<b>Effective Term</b>
CE	739	Computational Methods for Engineering	Fall 2021

<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>
CJ	465/665	Women and Minorities in Criminal Justice	3	CJ	465/665	<b>Gender, Race and Ethnicity in Criminal Justice</b>	3	Fall 2021
NURS	715	Advanced Community Assessment	3	NURS	<b>815</b>	<b>Population Health/Epidemiology</b>	3	Fall 2021

<b>Changes in Course Descriptions and/or Requisites</b>				
<b>Subject</b>	<b>No.</b>	<b>Title</b>	<b>Prerequisite/Co-requisite/Description Change</b>	<b>Effective Term</b>
CJ	465/665	Gender, Race and Ethnicity in Criminal Justice	Desc: Analysis of roles and contributions of women and people of color in the criminal justice system as offenders, victims and practitioners. Examines effect of court decisions, rule-making and contemporary criminal justice practices on women and people of color.	Fall 2021
NURS	366	Quality and Safety in Nursing	Prereq: Students must be accepted in the RN to BSN program and have finished the first and second semester of the program.	Summer 2021
NURS	815	Population Health/Epidemiology	Prereq: none.	Fall 2021

## IX. New Business

### 1. Confirmation of members for the Equity and Diversity Committee

Nominees:

*Voting members*

Ajmera, Beena (ENG)

Arnold, Lisa (CSWF)

Barrett, Tracy (AHSS)

Larson, Mary (HP)

Mackey, Hollie (HSE)

Motuba, Diomo (BUS)

SenGupta, Indranil (CSM)

Zhang, Lei (AFSNR)

*Non-voting member*

Bilen-Green, Canan (VP FA&E)

## IX. New Business

### 2. Confirmation of new member for the Academic Integrity Committee

Nominee:

Comez, Dogan (CSM)

## IX. New Business

### 3. Amendment of Article IV, Section 5 of Faculty Senate Bylaws

Given the importance of making NDSU a more equitable and inclusive community, and in the context of Faculty Senate's priority in this respect, the membership of the Faculty Senate Standing Committee on Equity and Diversity appears to be misaligned with that goal.

In order to leverage the contribution of a wide variety of perspectives from units on campus, the members on this committee should be drawn from each representation unit. Therefore, the following narrow amendment is proposed to Article IV, Section 5 of the Faculty Senate Bylaws.

#### Article IV: Faculty Senate Standing Committees

##### Section 5. Equity, ~~and~~ Diversity and Inclusion

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

## IX. New Business

### 4. Formation of an Ad-Hoc Faculty Legislative Committee

Proposal for an ad-hoc committee (4-6 members) to track draft bills in the ND State Legislature that have direct impact on the NDSU budget and other pertinent matters for academic affairs. Among others, the committee may suggest the issues in which NDSU faculty could engage and respond to throughout the legislative process.

This follows up on the Faculty Senator's expressed interest in this area and Mr. Chris Wilson's January 21<sup>st</sup> presentation on political engagement as an NDSU employee (see the [video recording of the session](#)).

## Context and Rationale for the Faculty Senate Resolution of Censure

Authored by the Ad-hoc Committee on the Resolution of Censure

### Executive Summary

#### *Policy & Process Concerns*

- Dr. Grafton was appointed Interim Provost in August of 2018 following an extremely rushed, attenuated, and opaque internal search. That search occurred outside the period of 9-month faculty appointments and before students returned to campus.
- After Interim Provost Grafton stepped down in November of 2019, President Bresciani promptly appointed Dr. Fitzgerald to the Interim Post using a presidential exception to the requirements for filling administrative positions stipulated in NDSU Policy 103.
- Dr. Fitzgerald has now been appointed permanent Provost, again without having participated in the formal search to fill the position. Specifically, she neither applied for the position (a violation of Policy 304), nor interviewed for it.
- Having been appointed again without campus input, Dr. Fitzgerald has never been formally presented for consideration by the NDSU Faculty, Staff, or Students.
- While policy 103 does allow for a Presidential exception in the case of “unique circumstances,” its application in this situation is unprecedented. Although President Bresciani attempted in two email messages, as well as in his response to the Faculty Senate inquiry, to explain his action, his rationale was unclear in the most benevolent of interpretations. To date, neither senior administrator has acknowledged this policy violation, declared it a presidential exception, nor provided any justification for the need to implement an exception.

#### *Transparency Concerns*

- Throughout her tenure as Interim Provost, Dr. Fitzgerald repeatedly proclaimed her disinterest in a permanent appointment as Provost.
- It is exceptionally unclear how President Bresciani arrived at his decision to disregard the candidates vetted and deemed viable by the Search Committee in favor of Dr. Fitzgerald.
- This decision is characterized by inconsistencies, a seemingly calculated minimum of communication, and a habitual disregard for transparency.

#### *Additional Concerns*

- Selecting an internal candidate who was not a part of the official candidate pool reflects poorly on the integrity of NDSU’s search processes. It invites damage to our institutional reputation that could well compromise future searches through a diminished ability to attract high-quality candidates, especially highly qualified internal candidates.
- President Bresciani assembled a Provost Search Committee including faculty, administration, staff and external members. Those members of our community

contributed substantial work in partnership with the executive search firm to bring over 100 candidates into the review process, screen their applications, and select five highly qualified candidates for campus interviews. The tight temporal correlation between Committee feedback regarding the interviewed candidates to the President and his selection of Dr. Fitzgerald as the permanent Provost calls his genuine consideration of the Committee's feedback into question. Moreover, his action discredits and disrespects the time, talent, and dedication of the search committee members.

### *Conclusion*

- Based on the blatant disregard for NDSU hiring policy, shared governance, and transparency, we, the Faculty Senate, herewith present our resolution of censure for President Dean Bresciani.
- If President Bresciani wishes to regain the confidence of the faculty, we expect concrete steps toward transparency, with attention to genuine shared governance, and with adherence to NDSU Policies 103 and 304.

### **Context**

We, the Faculty Senate of North Dakota State University, are deeply concerned over the manner in which our Interim Provost was recently appointed as permanent Provost. Our concerns are three-fold. First, in our view, President Bresciani blatantly disregarded NDSU Policies [304](#) and [103](#), which respectively require that candidates for faculty and executive/administrative positions apply, and that the Search Committee be involved in recruiting, screening, and interviewing applicants. President Bresciani's circumvention of policy added to a second, long-standing concern: lack of transparency and its deleterious effects on the health of our University through President Bresciani's avoidance of participating in genuine shared governance. Finally, the course of events described below at least gives the impression that the NDSU Provost Search Committee was misused. What appears below is a narrative account of the grievances that give rise to our loss of confidence that President Bresciani acts in the best interest of NDSU and the achievement of its missions, and the NDSU Faculty Senate's Resolution of Censure of NDSU President Dean Bresciani.

### **This Offense**

Briefly, the Provost Search Committee screened approximately 100 applications in response to its call for applications and selected five candidates for on-campus interviews. All five candidates met with the search committee and other campus groups, and each held a campus open forum. Anonymous feedback was collected from all campus constituencies via an online survey. Strengths and weaknesses were listed for each candidate and submitted to President Bresciani for his consideration. Support for one of the candidates stood out from the rest. However, as that applicant was unavailable on a timeline consistent with President Bresciani's, an offer was not made. There was apparently no effort to negotiate a mutually agreeable start date. The Provost Search Committee met to discuss the remaining candidates and then with President Bresciani to convey that three were viable. To his mind, none of those

candidates had sufficient support to warrant an offer. By President Bresciani's account, he then persuaded Interim Provost Fitzgerald to accept his offer of the position permanently. Although at that time she had not, and still has not applied for the position, she accepted it. Despite the fact that there was plenty of time for Dr. Fitzgerald to apply for the position, interview, and present at a campus open forum before the target hiring date, none of those things happened. The end game of this search was unnecessarily opaque and devoid of campus input. Furthermore, since Dr. Fitzgerald's appointment as Interim Provost was made with no campus input, we now have a Provost who has been appointed with no vetting by campus constituencies, including the Provost Search Committee. Given our ongoing and worsening budget crisis, which will likely require us to make difficult decisions in the foreseeable future, the lack of evidence for support of Dr. Fitzgerald's appointment from faculty, staff, or students is very concerning. To be clear, we do not claim absence of support for Dr. Fitzgerald, just lack of effort to gather evidence of it through a formal and legitimate search process.

### **Pattern of poor transparency**

This appointment is the latest in a string of provost appointments made through questionable processes.

#### *Appointment of the Second-most Recent Interim Provost*

Provost Ingram stepped down during the summer of 2018. President Bresciani announced an internal Search Committee on July 27, after their first meeting. The Committee issued a call for applications on July 30 with an August 6 deadline; applications were accepted for one week (five business days). Two finalists were announced after close of business on August 7, and faculty were given until 5:00 PM on August 8 to provide input, either to then Faculty Senate President Erin Gillam, or directly to a member of the Search Committee. No campus open forums were held and the candidates' credentials were not made available to the campus. Thus, there was essentially no opportunity for faculty, staff, or students, who weren't even on campus at that time, to ask questions or get a sense of the candidates' vision of their interim role. Multiple faculty members reached out to both the Search Committee and President Bresciani to express concern over the rushed and non-transparent process. In response to this concern, the Search Committee chair announced by email broadcast the online availability of the finalists' application materials ca. 2:00 PM on August 8. That email broadcast also announced an extension of the deadline for feedback until 8:30 AM on August 9. The interviews were limited to meetings with the Search Committee. President Bresciani announced his appointment of Dr. Grafton as Interim Provost on August 10, four days before nine-month faculty appointments began and two weeks before students returned. Although there are valid arguments in favor of having a Provost in place when students return to campus, there was no valid reason to proceed with a such an opaque process that culminated in the appointment of the chief academic officer of our University during a two-week period when many faculty were not on campus and/or traveling. Dr. Grafton announced in November 2019 that he would step down at the end of that calendar year because he could not work effectively

with the Faculty Senate, and with the Budget Committee in particular. We feel that the likelihood of this awkward circumstance and the damage it did to faculty morale could have been minimized by a more open and transparent selection and appointment process.

*Appointment of the Most Recent Interim Provost*

The provost vacancy was filled by direct appointment of Dr. Fitzgerald to the position. There is no record of any input to that appointment from outside the President's Office. Importantly, President Bresciani's email announcing his interim appointment of Dr. Fitzgerald included the following text:

“Please know that Dean Fitzgerald has indicated that she has absolutely no interest in the role on a permanent basis. That was an important factor for me because I wanted to ensure that no candidates, whether internal or external, were advantaged or disadvantaged by whoever was the Interim Provost.”

Considering the following text from President Bresciani's email explanation to the campus for his extra-search appointment of October 2, 2020 the “important factor” quoted above was underpinned by conviction for neither President Bresciani nor Interim Provost Fitzgerald.

“Given the situation I was in, I would have been derelict in my duties if I did not approach Dr. Fitzgerald to explore the possibility of her assuming the permanent position. So that's what I did, and I'm happy that she was willing to accept the role.”

We note that a *Presidential Exception Hire Approval Form* was filed and signed by the appropriate authorities for this interim appointment, albeit after the campus announcement of the appointment was made.

It is no secret that the faculty have serious concerns about trust and transparency at NDSU. These concerns are evident in the results from the most recent *Campus Climate Survey* (2019). Note the very low scores on these items:

I trust NDSU Campus Administrators' ability to make decisions that support the mission of NDSU. 3.035/6.000

Campus Administrators communicate campus decisions transparently. 2.765/6.000

Situations like this are potentially very embarrassing and compromise NDSU's credibility in the national academic leadership market. If NDSU's processes for such critical decisions appear this autocratic, we should wonder why any of the many applicants for this Provost position would consider applying for a position at NDSU again, or recommend that anyone else apply. This decision represents our University badly and, if it stands, will likely damage its reputation.

We, the NDSU Faculty Senate, understand that our President is accountable for the failures as well as successes of his reports. Therefore, we do not question the authority or responsibility of the NDSU President to make those appointments. We do, however, question his apparent insistence on operating at the fringes of, or even outside of, the tenets of shared governance and with the minimum possible transparency, as evinced by this most egregious Provost appointment. Making such hires without input from the campus should be reserved for only

the most extraordinary and emergency circumstances. None of the appointments described herein clear that bar. In this most recent case, the stated goal of the search was to have a new and permanent Provost on campus by the spring 2021 semester. That leaves nearly three months, more than adequate time, to seek and consider alternative candidates, such as Dr. Fitzgerald, through a mechanism aligned with policy and consistent with best shared-governance practices. President Bresciani's opaque action in this matter, especially in the wake of the earlier non-transparent appointments for which he was criticized, leads the Faculty Senate to question its confidence that he acts in the best interest of NDSU and our constituencies, especially our students, who have entrusted us with guiding them through their preparation for professional life.

The importance of said confidence cannot be overestimated, particularly during our challenging budgetary environment. As we stare down the growing likelihood of programmatic rollbacks that will undo decades of vision and hard work by the faculty, the only hope for NDSU's survival as a healthy and vibrant member of the academy is for the President and his Administration to have the full trust, confidence, and respect of the faculty.

How, then, do we move forward from here? The faculty's confidence in President Bresciani will only begin to re-emerge if this Provost search is reopened and conducted with full transparency, in accord with the tenets of shared governance, and consistent with NDSU Policies 103 and 304.

## Faculty Senate Resolution of Censure

Authored by the Ad-hoc Committee on the Resolution of Censure

*Whereas* President Bresciani blatantly disregarded NDSU [Policy 304](#), which clearly outlines the procedures for the hiring of executive/administrative positions, stating that “[a]ll applicants must apply via the online application system” and be screened and vetted by a search committee as part of our university’s shared governance; and

*Whereas* the uncompensated commitment, time, and labor of the members of the Provost Search Committee, who screened, vetted, and put forward a list of qualified candidates, was thereby not respected or recognized; and

*Whereas* the most qualified candidate from the applicant pool was rejected by President Bresciani on account of their delayed start date; and

*Whereas* AAUP’s principles of shared governance (stated in *Faculty Participation in the Selection, Evaluation, and Retention of Administrators*, 1981) dictate that “[t]he person chosen for an administrative position should be selected from among the names submitted by the search committee,” and that “sound academic practice dictates that the president not choose a person over the reasoned opposition of the faculty”; and

*Whereas* President Bresciani authorized an “exception” under [Policy 103](#), Section 3, which authorizes exceptions “by the President in unique circumstances” to appoint a candidate outside of hiring procedures under university policy, when qualified candidates were screened, vetted, and identified by the Provost Search Committee; and

*Whereas* President Bresciani’s email announcing his appointment of Dr. Fitzgerald as Interim Provost stated that it “was an important factor for [him] [...] that no candidates, whether internal or external, were advantaged or disadvantaged by whoever was the Interim Provost”; and

*Whereas* the *Exception to Hire* form under Policy 103, section 3 was signed and filed by the appropriate authorities *after* the campus announcement of the Provost appointment was made via official university email; and

*Whereas* Policies 103 and 304 are meant to ensure that searches be conducted in a fair and equitable way, while limiting the chance of bias; and

*Whereas* similar circumventions of policy are evident in the appointment of the former Interim Provost Grafton without proper input from faculty and not in accordance with the principles of shared governance; and

*Whereas* according to the survey of *Faculty on NDSU President's Provost Appointment Process*, conducted by the Faculty Senate in early November 2020, 66% of faculty were either "very uncomfortable" or "somewhat uncomfortable" with the Provost appointment process; and

*Whereas* according to the most recent *Campus Climate Survey* (2019), faculty's trust in NDSU Campus Administrators' "ability to make decisions that support the mission of NDSU" was rated 3.035/6.000 and their ability to "communicate campus decisions transparently" at 2.765/6.000;

*Be it resolved* that the Faculty Senate censures President Bresciani for circumventions of policy that demonstrate a pattern of lack of transparency, avoidance of participating in genuine shared governance, with adherence to NDSU Policies 103 and 304 in particular, and either lack of communication or misleading communication via official university email.