

**North Dakota State Board of Higher Education  
Academic and Student Affairs Committee**  
Meeting Minutes  
September 20, 2017

The State Board of Higher Education's Academic and Student Affairs Committee met via conference call on Wednesday, September 20, 2017, at 10:00 a.m. CT. The call originated on the 10<sup>th</sup> floor of the State Capitol, NDUS Conference Room, 600 E. Boulevard Ave., Bismarck, ND.

Ness called the meeting to order at 10:00 a.m. CT.

SBHE Committee on Academic and Student Affairs members present:

Mr. Mike Ness, Chair  
Mr. Jacob Dailey  
Dr. Birgit Pruess, Faculty Adviser

Others present:

Dr. Richard Rothaus, NDUS  
Ms. Kristie Hetzler, NDUS  
Mr. Nick Vaughn, AG's Office

**1. Agenda**

Dailey moved to approve agenda.

Dailey and Ness voted yes.

**2. Meeting Minutes**

Dailey moved, to approve the April 19, and August 16, 2017, meeting minutes.

Dailey and Ness voted yes.

**3. Policy 611.2 – Employee Responsibility and Activities Intellectual Property**

Richard Rothaus reviewed the amendments to section 3(e) of [policy 611.2](#). Currently, the creators, or the creators' heirs, successors, or assigns, shall be entitled to a minimum of forty (40) percent of the Net Royalties received by the institution in connection with the Creators' IP. The Committee discussed the amendment that would allow each institution the ability to maintain the right to implement a sliding scale for net royalties once a specified revenue trigger is reached and then reducing the percentage of earned royalties. The specifics of the sliding scale and trigger revenue shall be at the discretion of each institution.

The Committee discussed some concerns and recommended that more time and input from all vested parties be circulated and brought back for review. Members recommended to postpone full Board review. Legal Counsel advised the Committee the policy would not be held back from the full Board; however, during the 1<sup>st</sup> reading on September 28<sup>th</sup>, the Committee could make their recommendation to table.

4. **Policy 1912** – Public Records  
Nick Vaughn review amendment to [Policy 1912](#), regarding public records.

Dailey moved to recommend approval of Policy 1912.

Dailey and Ness voted yes.

#### **Chancellor announces request to SBHE:**

##### **New Program(s) – Stage I Expiration Date: September 13, 2019**

5. BSC – B.A.S. in Cybersecurity and Information Technology, CIP Code 11.1003, via on-campus and distance delivery

Richard Rothaus briefed the Committee members on the concerns that were discussed at the Academic and Student Affairs Council and at the Chancellor's Cabinet meetings. BSC's request for a Bachelor's degree did not receive unanimous approval. UND, NDSU, and MISU were the institutions that posed the most opposition to allow a two-year campus to offer a four-year degree. The following concerns were expressed:

- Mission Statements
- Accreditation
- Program Duplication

6. DSU – B.S. in Information Analytics, CIP Code 11.0401, via on-campus and distance delivery
7. UND – Undergraduate Certificate in Forensic Psychology, CIP Code 42.2812, via on-campus and distance delivery

##### **Distance Education Program(s) – Stage II**

8. LRSC – A.A.S. in Marketing, CIP Code 52.1899

##### **Program Title Change(s)**

9. LRSC – From A.A.S. in Speech Language Pathology Assistant, CIP Code 51.0203 to A.A.S. in Speech Language Pathology Paraprofessional, CIP Code 51.0203

##### **Program Inactivation(s) – Inactivation Expiration Date: September 13, 2020**

10. UND – B.S. in Graphic Design Technology, CIP Code 50.0409
11. UND – B.S. in Nursing Program (accelerated track), CIP Code 51.3801

#### **Business**

##### **Organizational Change(s) – Stage II**

12. BSC – Create new [Dakota Institute](#)

Dailey moved to recommend approval for BSC's academic request, item 12.

Dailey and Ness voted yes.

##### **Program [Termination\(s\)](#) – Stage II**

13. UND - M.A. in Theatre Arts, CIP Code 50.0501
14. UND - Graduate Certificate and M.S. in Advance Public Health Nurse Program, CIP Code 51.3811
15. UND - Graduate Certificate in Psychiatric Mental Health Nurse Practitioner Program, CIP Code 51.3810
16. UND - Graduate Certificate in Nurse Anesthesia Program, CIP Code 51.3804

17. UND - Graduate Certificate in Family Nurse Practitioner Program, CIP Code 51.3805

Dailey moved to recommend approval for UND's academic requests, items 13 - 17.

Dailey and Ness voted yes.

**Other Business**

18. [Staff Appointments](#)

The Committee discussed non-tenure faculty appointments and the concerns raised by the Council of College Faculties regarding no employment protection for these positions. The Committee Chair requested this topic continue at the next meeting so that Mr. Morton could be present and provide his input. He also requested to include input from the Chancellor's Cabinet and the impact it has on the current budgets.

19. Process of Program Terminations

The Committee discussed the process in which program terminations occur. It was noted that NDUS currently practices the same process that several other systems do and that students currently enrolled in a program that is due to terminate are allowed to finish the program on schedule prior to termination.

The meeting adjourned at 11:05 a.m. CT.

Approved November 15, 2017.

## **Summary of Proposed Action ND State Board of Higher Education Meeting – September 28, 2017**

- 1. Issue:** Proposed SBHE Policy [611.2](#) – Employee Responsibility and Activities: Intellectual Property.
- 2. Proposed actions:** Approve/deny the proposed edit(s) to SBHE Policy 611.2 – Employee Responsibility and Activities: Intellectual Property.
- 3. Background information:** Policy 611.2 governs intellectual property created by faculty, staff and students. Currently creators are entitled to a minimum of 40 percent of net royalties. The revision would allow institutions to establish a sliding scale with a reducing percentage set by trigger. As net royalties increase over a certain amount or amounts, the percent of royalties going to the creator will be reduced. Each institution will set its own scale and triggers.
- 4. Financial implications:** The policy revision could increase revenue for the institutions.
- 5. Legal/policy issues:** None.
- 6. Academic issues:** At the September 6, 2017, Academic Affairs Council (AAC) meeting, the Council of College Faculty noted that they are concerned about the impact on recruiting and retaining faculty.
- 7. Coordination:** On September 6, 2017, the AAC voted unanimously to recommend approval for review by the Chancellor's Cabinet and advance to the SBHE for approval/denial.
- 8. Attachments:** The new policy is attached for review.
- 9. Contact information:** Richard M. Rothaus, Ph.D., Vice Chancellor for Academic and Student Affairs, NDUS. Ph: 701-328-4136/email: [Richard.rothaus@ndus.edu](mailto:Richard.rothaus@ndus.edu).
- 10. Chancellor's recommendation:** Chancellor approved.

NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL

SUBJECT: PERSONNEL

EFFECTIVE: ~~November 20, 2014~~

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<b>PROPOSED DRAFT CATEGORY:</b>	<b>Amend</b>
<b>NDUS LIAISON:</b>	<b>Richard Rothaus</b>
<b>PRIMARY COUNCIL:</b>	<b>Academic Affairs</b>
<b>SBHE COMMITTEE (if policy):</b>	<b>Academic and Student Affairs</b>

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Section: 611.2 Employee Responsibility and Activities: Intellectual Property

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1. General Principles.

- a. The North Dakota State Board of Higher Education (“Board”) encourages and promotes research and scholarship based upon the traditional principles of the academic profession. Some creative endeavors, discoveries, advancements, and innovative approaches have the potential to be utilized outside of the North Dakota University System (“System”). Through this Intellectual Property Policy, the Board seeks to execute a synergistic model of education, research, outreach, service, and economic development to accomplish a greater good.
- b. This Policy establishes guidelines to support faculty, staff, and students in identifying, protecting, and administering intellectual property (“IP”), and defines the rights and responsibilities of all involved. Each Institution shall adopt procedures implementing this Policy, a process for resolving disputes, and a process for informing faculty, staff, and students of their respective rights and responsibilities related to IP. Each Institution may adopt a separate statement of IP policies, provided that such statement does not conflict with this Policy.
- c. The primary purposes of this Policy are to:
  - i. Provide clear guidance for all involved in the creation, development, management, protection, and dissemination of discoveries and IP within the System and its Institutions.
  - ii. Provide for an effective and efficient process to achieve positive outcomes for creators, the System and its Institutions.
  - iii. Effectively manage all interests that may emerge in relation to discoveries that have commercial value or other desirable outcomes and provide guidance as to which of these interests or outcomes has priority.
  - iv. Place creative output into practical use for public benefit as quickly and as effectively as possible, and in a manner consistent with applicable laws and public policy.

- v. Facilitate the creation of appropriate public-private partnerships to support economic development.
  - vi. Encourage a broad array of mutually beneficial relationships with organizations outside of the System and its Institutions to enhance creative output, including collaborative research, licensing of IP, and the formation of companies specifically for the purpose of commercializing newly created IP.
- d. It is the expectation of the Board that all persons involved in the creation, development, management, protection, and dissemination of IP shall conduct themselves in accordance with the Core Values espoused in SBHE Policy 100.5 (II).

## 2. Definitions.

- a. "Creator": A person who contributes in a significant manner to the development of IP on behalf of the System or one of its Institutions.
- b. "Institution": One of the individual colleges or universities of the North Dakota University System.
- c. "Intellectual Property" or "IP": Collectively, any form of property created by the mind including, but not limited to, Inventions, trade secrets, copyrights, trademarks, mask works, and any other tangible research result such as biological materials, engineering drawings, integrated circuit chips, computer databases, prototype devices, circuit diagrams, and equipment.
- d. "Invention": A process, method, discovery, device, plant, composition of matter, know-how, or other discovery that reasonably appears to qualify for protection under United States patent law, whether or not actually patentable (including, but not limited to, utility patents, plant patents, design patents, certificates of Plant Variety Protection). This includes patent-eligible software that may also be copyrightable.
- e. "Net Royalties": Gross revenues, including all royalties, licensing, and other fees generated as a direct result of IP, less the actual, out-of-pocket expenses incurred in procuring and maintaining protection, marketing (at the discretion of the System or one of its Institutions), licensing, and enforcing rights in such IP.
- f. "Significant Use of Resources": A Creator's use of System or institutional facilities, equipment, and/or employees' time that appreciably increases the costs of the System or Institution beyond those normally incurred. Significant Use does not include the Creator's own time (including developmental leave) or the normal use of facilities or equipment commonly available to faculty, staff, or the public, such as libraries, Internet access, office space, office equipment, computers,

and/or office supplies.

### 3. General Patent Policy.

- a. The Board strongly encourages the pursuit of formal protection and/or efforts to commercialize all IP as a method of bringing recognition and remuneration to Creators, the System, and Institutions.
- b. Except as otherwise provided herein, and subject to restrictions arising from overriding obligations and/or institutional policies, Institutions shall have and hold title to all IP that is the result of any work, research, or investigation conducted by institutional employees in the course and scope of their employment. Upon employment and as otherwise necessary, all employees of an Institution shall be required to execute an appropriate written assignment of IP to the Institution. For purposes of this Policy, Creators employed by the System shall be deemed employees of (i) the Institution most closely connected to the development of specific IP in terms of facilities or resources utilized or, if none, (ii) the Institution to which the specific IP is first disclosed by at least one Creator or, if none, (iii) the Institution selected by the Chancellor or designee upon disclosure of specific IP to the System.
- c. Each Institution's procedures shall act as a guide for determining, clarifying, and/or preserving ownership of IP, shall provide for the disclosure, review, and evaluation of IP, and shall at a minimum require:
  - i. The Creator's timely, written disclosure of IP.
  - ii. The Creator's provision of all necessary declarations, assignments, or other documents as may be necessary.
  - iii. The Institution's review of the technical and/or commercial viability and, in the case of Inventions, patentability, of IP within a reasonable period of time.
- d. If at any time an Institution decides not to pursue, or otherwise to discontinue its protection and commercialization of any IP, the Institution shall notify the Creator(s). In the absence of overriding obligations the Institution shall upon request of at least one Creator release its rights in such IP to the original assignor(s), subject to an obligation to reimburse the Institution for its actual out of pocket costs in the event of a commercial windfall. However, under no circumstance may the Creator(s) to whom rights are released use the name of the System or an Institution in connection with subsequent development, use, or marketing of the IP. Creators may request that IP rights be released, even in the absence of a prior decision by the Institution to discontinue protection. Institutions shall have the discretion to grant such a request, provided that the Institution may require, as a condition of the release of IP rights, that the Creator(s) reimburse the Institution for its actual, out-of-pocket costs incurred in pursuing formal

protection of the IP.

- e. Subject to any overriding obligations, Creators, or the Creators' heirs, successors, or assigns, shall be entitled to a minimum of forty (40) percent of the Net Royalties received by the Institution in connection with the Creators' IP. Each Institution's procedures should allocate remaining Net Royalties to be utilized principally in support of research. In addition, each institution shall maintain the right to implement a sliding scale [reducing percentage] for net royalties once a specified revenue trigger is reached. The specifics of the sliding scale and trigger revenue shall be at the discretion of each institution.
  - f. When there are two or more Creators, each Creator shall share equally in the Creator's share of Net Royalties unless all have agreed in writing to a different distribution of such share. The Institution will honor any agreement purporting to share rights and/or royalties between participating parties to the fullest extent permitted under applicable law. In cases of joint development where Creators are employed at two or more Institutions, the Institutions shall enter into an inter-institutional agreement.
4. General Copyright Policy.
- a. Each Institution's IP procedures shall provide for the disclosure, review, and evaluation of original works of authorship, and for the protection and commercialization of works in which copyright is owned by the Institution under this Policy. Copyrightable works that are also patent-eligible Inventions, such as software, shall be governed by the General IP Policy set forth in section 3.
  - b. An Institution shall own copyright in works prepared by its employees at the specific direction of the Institution.
    - i. An employee shall report such work in accordance with the General IP Policy set forth in section 3.
    - ii. Net Royalties received by an Institution as a result of copyright ownership will be disbursed in accordance with the General IP Policy set forth in section 3.
  - c. Institution employees shall be entitled to own copyright in works that are prepared within the scope of employment but not at the specific direction of the Institution.
    - i. An Institution shall relinquish copyright ownership in any work that arises by operation of law and, if necessary, shall execute assignments conveying such copyright ownership to employees. As a condition of any such relinquishment or assignment, the Institution shall retain a perpetual, non-exclusive, worldwide and royalty-free license to use the work for teaching, educational, archival, and research purposes. This subsection shall not apply to companion works that enable, or are incidental to or necessary for the practice of, an Invention owned by the Institution under this Policy.



- ii. In the event an employee has made a Significant Use of Resources in the creation of a work governed by this subsection, an Institution may require the employee to reimburse the Institution for the value of such use.
        - iii. Institution employees shall not use any work governed by this subsection, including textbooks and other course materials, either printed or electronic, in any manner that competes in a substantial way with the for-credit offerings of the Institution employer unless such use has received the approval of the chief academic officer of the Institution.
5. Trademark. Each Institution's IP procedures shall provide for the identification and protection of the trademarks and service marks of the Institution, provided that commercialization and licensing activities may be delegated by contract to one or more third parties.
6. Student IP.
  - a. An Institution may not require an assignment of IP rights from a student unless at least one of the following applies:
    - i. The student received financial support from the Institution, in the form of wages, salary, stipend, or grant funds, for the research and/or activities that led to the development of the IP.
    - ii. The Institution is contractually obligated to require such assignment.
    - iii. The IP was developed with the Significant Use of Resources and the retention of such rights by the student would substantially impair a mission of the Institution.
    - iv. The IP was a companion work that enabled, or was incidental to or necessary for the practice of an Invention owned by the Institution under this Policy.
    - v. The student expressly agreed to make such assignment.
    - vi. The IP comprises marks and/or logos used or intended to be used solely or primarily by the Institution in conjunction with the Institution's offering of goods or services, including but not limited to the Institution's department of athletics.
  - b. An Institution may not require a license in IP from a student unless at least one of the following applies:
    - i. The IP comprises copyright in a thesis or dissertation.
    - ii. The IP arose from a multi-semester classroom project administered by an Institution employee, such as a senior design project, and the license is necessary for the Institution to continue administering the project.
    - iii. In the absence of such license, a mission of the Institution would be substantially impaired.
    - iv. The student has expressly agreed to grant such license.

- c. In the event an assignment required by this section is made, the student making such assignment shall be treated as a Creator and shall be entitled to all of the rights and benefits of Creators under this Policy.
- d. Licenses required by this section shall be non-exclusive, non-commercial, perpetual, and royalty-free, unless otherwise agreed to by the Institution so licensed.
- e. Nothing in this section shall be construed to prevent a student from voluntarily entering into a relationship with an Institution concerning IP.

7. Other Provisions.

- a. Foundations. An Institution may assign or transfer ownership rights in IP to a foundation defined in Board policy. Such assignment or transfer shall be in writing and signed by the president of the Institution or his or her designee. Institutions may require, as a condition of such assignment, periodic reporting as to the administration, marketing, and commercialization of IP assigned pursuant to this subsection.
- b. Employee Consulting/Developmental Leave. It is the responsibility of Institution employees to ensure that the terms of their consulting agreements with third-parties or the conditions of developmental leave do not conflict with this or any other Board or Institutional policy.

HISTORY: Replaces the current 611.2. New policy. SBHE Minutes, April 24-25, 1989, ~~page 5812~~.  
SBHE Amendment ~~SBHE Minutes~~, June 20-21, 2002.  
SBHE Amendment ~~SBHE Minutes~~, November 20, 2014.

## Summary of Proposed Action State Board of Higher Education Meeting – September 28, 2017

1. **Issue:** New records retention – litigation hold policy/procedure and policy update to incorporate changes to open records statute from last session.
2. **Proposed actions:** Approve first reading of [SBHE Policy 1912](#)
3. **Background:** There is nothing in NDUS policy or procedure that addresses the implications of litigation or potential litigation on the records management program. In response to this void, the proposed amendment to policy defines litigation hold while the new procedure outlines the correlated steps to follow in the preservation of records involved in litigation.

Also, the policy was updated to add new provisions to the open record statute (N.D.C.C. 44-04) that resulted from the last legislative session. Specifically, the following are now either exempt from or confidential under the open records law: applications for employment from those that are not deemed finalists by the hiring entity; university research records and personally identifiable study information; and Title IX records.

4. **Financial implications:** NA
5. **Legal/policy issues:** Reviewed by legal.
6. **Academic issues:** NA
7. **Coordination:**
8. **Enclosures:** Amendment to Policy 1912; [New Procedure 1912](#)
9. **Contact person:** Jerry Rostad, [jerry.rostad@ndus.edu](mailto:jerry.rostad@ndus.edu), 701-239-6668 and Nick Vaughn, [nvaughn@nd.gov](mailto:nvaughn@nd.gov), 701-328-3611.
10. **Chancellor's Cabinet recommendation:** Chancellor Approved

**NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL**

**SUBJECT:** MISCELLANEOUS

**EFFECTIVE:** November 20, 2014

**Section:** 1912 Public Records

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**PROPOSED DRAFT CATEGORY:**

**NDUS LIAISON:**

**PRIMARY COUNCIL:**

**SBHE COMMITTEE (if policy):**

**Update**

**Jerry Rostad ([Jerry.Rostad@ndus.edu](mailto:Jerry.Rostad@ndus.edu))**

**Administrative Affairs**

**Budget and Finance**

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Except as otherwise specifically provided by law, all records of the State Board of Higher Education, the North Dakota University System and its institutions are, pursuant to N.D.C.C. Section 44-04-18, public records, open and accessible for inspection during regular office hours.

1. Student education records are confidential and access to those records is restricted according to the Family Education Rights and Privacy Act of 1974, as amended (FERPA). Pursuant to FERPA, each institution shall:
  - a. Adopt a policy as required by 34 CFR Section 99.7;
  - b. Annually notify students currently in attendance of their rights under FERPA;
  - c. Except as provided under FERPA and 34 CFR Section 99.31, relating to conditions under which personally identifiable information may be disclosed without consent, obtain a signed and dated written consent of a student before it discloses personally identifiable information from the student's education records;
  - d. Maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student as required by 34 CFR Section 99.32;
  - e. Provide the notice required by 34 CFR Section 99.37 concerning disclosure of directory information;
  - f. Adopt procedures implementing FERPA provisions governing release and transfer of student disciplinary records. Consistent with FERPA, student disciplinary records are confidential and may be released only as permitted under FERPA and implementing institution procedures; and

g. Comply with all other requirements of FERPA and applicable regulations.

The chancellor shall adopt a procedure establishing a uniform, system definition of directory information, which must be incorporated in required institution policies and apply to the system office.

2. Records of former students, including deceased former students, are confidential except that records of deceased former students may be released or disclosed at the request of a parent, personal representative, or other qualified representative of the student's estate, or pursuant to a court order or subpoena.
3. Access to and disclosure of campus police records is governed by N.D.C.C. Section 44-04-18.7. Accordingly, active criminal intelligence information and active criminal investigative information are exempt from the open records law. Each campus law enforcement agency shall maintain a list of all files containing active criminal intelligence and investigative information which have been in existence for more than one year, which shall be subject to disclosure under N.D.C.C. Section 44-04-18.
  - a. Campus police records which are open and must be disclosed under Section 44-04-18.7 include:
    - i. Arrestee description;
    - ii. Facts concerning the arrest;
    - iii. Conviction information;
    - iv. Disposition of all warrants;
    - v. A chronological list of incidents, including initial offense report information;
    - vi. A crime summary, including a departmental summary of crimes reported and public calls for service;
    - vii. Radio log; and
    - viii. General registers.
  - b. Law enforcement records and files concerning a child, as that term is defined at N.D.C.C. ch. 27-20, shall be kept separate from the records and files of adults and shall not be open to public inspection and may not be disclosed except according to the provisions of N.D.C.C. ch. 27-20.
  - c. Records of undercover law enforcement officers are confidential and exempt from the open records law as provided by N.D.C.C. Section 44-04-18.3.

4. Public entities including the State Board of Higher Education and NDUS institutions shall determine finalists for open positions consistent with N.D.C.C. Section 44-04-18.27. Applications for public employment of non-finalists and any records related to those applications which contain information that could reasonably be used to identify an applicant are confidential.

45. Personnel records other than personnel records that relate to an individual in attendance at the agency or institution and employed as a result of his or her status as a student are public records open to inspection by the public. However, pursuant to N.D.C.C. Section 44-04-18.1, employee medical and employee assistance program records are confidential and may not be placed in an employee's personnel file and may not be released without the written consent of the employee or as otherwise provided by law. Further, personal information as defined in section 44-04-18.1, including a person's home address, home telephone number, photograph, medical information, motor vehicle operator's identification number, payroll deduction information, the name, address, phone number, date of birth of any dependent or emergency contact, any credit, debit, or electronic fund transfer card number, and any account number at a bank or other financial institution, are exempt from the open records law and may be released only as required by law, pursuant to institution policy or with the employee's written consent. The chancellor shall adopt a procedure establishing a uniform, system policy concerning release of exempt personal information, which must be incorporated in required institution procedures and apply to the system office. Placement of documents in an employee's personnel file is governed by N.D.C.C. Section 54-06-21.

56. Additional records exempt from or confidential under the open records law include (without limitation):

a. Information pertaining to an employee's retirement account balance, disability applications and benefits, and surviving spouse applications and benefits under N.D.C.C. ch. 54-52 or a plan adopted by the board (N.D.C.C. Section 54-52-26);

b. Certain economic development records (N.D.C.C. Section 44-04-18.2);

c. Trade secret, proprietary, commercial and financial information (N.D.C.C. Section 44-04-18.4 and SBHE Policy 611.6), including university research records and personally identifiable study information;

d. Computer software programs or components for which a copyright, patent or license is acquired (N.D.C.C. Section 44-04-18.5);

e. Attorney work product (N.D.C.C. Section 44-04-19.1); ~~and~~

f. ~~f.~~—Social security numbers, which are confidential under N.D.C.C. Section 44-04-28; and

g. Title IX records at state universities and colleges (N.D.C.C. Section 44-04-18.28).

~~6.~~ 7. Copies of records not exempt from section 44-04-18 shall be provided upon request. Copies shall be made of records and documents in the form filed or kept in the normal course of business and employees are not required to retrieve and collate or summarize data or prepare other special reports or documents not required by law or otherwise prepared in the normal course of business. A fee for allowing access to documents may not be assessed; however, each institution shall establish and collect a fee to cover reasonable copying costs, including reasonable costs of computer generated documents. The fee for standard paper copies may not exceed twenty-five cents per copy as provided under section 44-04-18. A fee not to exceed twenty-five dollars per hour, excluding the first hour, may be charged per request for locating records if locating the records requires more than one hour or for excising confidential or closed material if excising the material requires more than one hour. Access to electronically stored records is free if the records are recoverable without the use of a computer backup; if a request is made for access to a record on a backup or for a copy of an electronically stored record an additional reasonable fee may be charged to cover costs attributable to the use of information technology resources.

~~7.~~ 8. The university system office and each institution shall maintain a continuing program for the management of records as required by N.D.C.C. ch. 54-46 using the North Dakota Colleges/Universities General Records Retention Schedule maintained and updated by the ND Information Technology Department and as supplemented by institution specific retention schedules maintained by individual institutions. Records received or created by Board members are governed by the system office program. This requirement is effective March 1, 2015.

8-9. The North Dakota University System (NDUS) and its institutions shall immediately implement litigation hold procedures when they are involved in litigation or it is reasonably foreseen that they may become involved in litigation. A litigation hold is the process of identifying and preserving materials that may be relevant to the litigation, including documents, electronic information, and other items.

~~9-10.~~ The chancellor shall adopt a procedure implementing provisions of the Financial Services Modernization Act of 1999 (Gramm Leach Bliley Act).

**REFERENCE: NDUS Procedure 1912.4**

**HISTORY:** New policy. SBHE Minutes, October 22, 1992, page 6298.  
Amendment SBHE Minutes, January 15, 1998, page 6823.  
Amendment SBHE Minutes, May 21, 1998, page 6891.  
Amendment SBHE Minutes, November 21, 2002.  
Amendment SBHE Minutes, December 16, 2004.  
Amendment SBHE Minutes, June 16, 2005.

Amendment SBHE Minutes, November 20, 2014 (the amendment to paragraph 7 will be effective March 1, 2015).

[Amendment SBHE Minutes, TBD](#)



## Summary of Proposed Action ND State Board of Higher Education Meeting – September 28, 2017

1. **Issue:** Bismarck State College (BSC) has submitted a Stage II request to create the [Dakota Institute](#).
2. **Proposed actions:** Approve/deny the Stage II request of the BSC to create the Dakota Institute.
3. **Background information:** Senate Bill 2003 (1 July 2017) named BSC as recipient of the Dakota Institute and all rights, title, interests and copyrights from ND Parks and Recreation.
4. **Financial implications:** None. Duties will be assigned to the Vice-President for Academic Affairs and other existing faculty and staff. Any net revenues will be used for student scholarships.
5. **Legal/policy issues:** State Board of Higher Education (SBHE) Policy 307.1 *Institutional Organization Notice and Approval* states: "1. Board approval is required to create, discontinue or name a school, college, center or institute. Institutions shall submit such requests, along with rationale and supporting information, to the Chancellor and the Chancellor shall forward the proposal to the Board with a recommendation."  
  
"2. As used in this policy, 'center or institute' means a unit that has as a primary function or activity academic instruction, research, or service beyond the immediate campus community. The terms do not include space designations, or units that simply have the word 'center' in their title, or units that provide non-academic services, such as dining centers."
6. **Academic issues:** No academic issues were raised at the September 6, 2017 Academic Affairs Council (AAC) meeting.
7. **Coordination:** On September 6, 2017, the AAC voted unanimously to recommend that the Stage II request for review by the Chancellor's Cabinet and advance to the SBHE for approval/denial.
8. **Attachments:** The Stage II request is attached.
9. **Contact information:** Richard M. Rothaus, Ph.D., Vice Chancellor for Academic and Student Affairs, NDUS. Ph: 701-328-4136/email: [richard.rothaus@ndus.edu](mailto:richard.rothaus@ndus.edu).
10. **Chancellor's recommendation:** Chancellor approved.



August 23, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
600 E Boulevard Avenue, Dept. 215  
Bismarck ND 58505-0203

Dear Dr. Rothaus:

In accordance with SBHE Policy 307.1, Institutional Organization - Notice and Approval, Bismarck State College requests approval of the **Dakota Institute**.

Bismarck State College, under Section 32 of Senate Bill 2003 (effective 1 July 2017), was the recipient of the transfer from North Dakota Parks and Recreation of "the name Dakota [I]nstitute and all rights, title, interests, and copyrights." This Stage II submission will allow Bismarck State College to satisfy this legislative action.

Please place this Stage II request on the agenda for the September 6, 2017, Academic Affairs Council meeting. Thank you for your consideration.

If you have any questions about the proposal, please contact me at 701-224-5525.

Sincerely,

A handwritten signature in black ink that reads 'Daniel Leingang' with a stylized flourish at the end.

Daniel Leingang, Ph.D.  
Vice President for Academic Affairs

**North Dakota University System  
ACADEMIC AFFAIRS FORMAL REQUEST  
STAGE II COVER PAGE**

This form is to accompany each academic request to the System office for State Board of Higher Education or Chancellor action. The purpose of the form is to streamline the request process, promote consistency, and foster improved record-keeping.

**Institution:** Bismarck State College

**I. Action requested:**

- Approval of new program, Policy 403.1, "Program Approval", SBHE approval
- Approval of new prefix
- Termination of program, Policy 403.1.1, "Program Termination", SBHE approval
- Place program on inactive status, Policy 403.1.3, "Inactive Programs", Chancellor approval
- Program title change, Policy 403.4, "Changes in Program Titles", Chancellor approval
- Corresponding degree title change
- Approval of new program fee, Policy 805.3. 2.d
- Distance education approval, Policy 404.1, "Distance Learning Credit Activities", Chancellor approval
  - New       Change       Update Notice
- Organizational change, Policy 307.1, "Institutional Organization-Notice and Approval", SBHE approval
  - New       Change       Termination
- Other, Policy \_\_\_\_\_, " \_\_\_\_\_ ", \_\_\_\_\_ approval

Effective Date: \_\_\_\_\_

**II. Program information (where applicable):**

NDUS Academic Program Code (this is an abbreviation of the Description; example UGBIO) \_\_\_\_\_

Program or Organizational Title Dakota Institute

Old title (if title change) \_\_\_\_\_

- Major
- Minor
- 2<sup>nd</sup> Major

Short Title Description; (10 characters title) \_\_\_\_\_

Program Prefix Requested \_\_\_\_\_

Implementation Date (old and new dates cannot overlap) \_\_\_\_\_

First Valid Term \_\_\_\_\_

Academic Career (UG, G, L, M) \_\_\_\_\_

Grading Scheme (UG, G, L, M, Ph) \_\_\_\_\_

Academic Group; (division, college, school) \_\_\_\_\_

Academic Organization/Department \_\_\_\_\_

CIP Code \_\_\_\_\_

Exact degree/award title (refer to NDUS Procedure 409 for title list):

- |  |   |
|--|---|
| <input type="checkbox"/> Diploma                               | <input type="checkbox"/> Bachelor of Science in Education (B.S.Ed)    |
| <input type="checkbox"/> Certificate Program                   | <input type="checkbox"/> Master of Arts (M.A.)                        |
| <input type="checkbox"/> Associate of Arts (A.A.)              | <input type="checkbox"/> Master of Science (M.S)                      |
| <input type="checkbox"/> Associate of Applied Science (A.A.S.) | <input type="checkbox"/> Doctorate in Education (Ed.D.)               |
| <input type="checkbox"/> Associate of Science (A.S)            | <input type="checkbox"/> Doctor of Philosophy (Ph.D.)                 |
| <input type="checkbox"/> Bachelor of Arts (B.A.)               | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Bachelor of Science (B.S.)            | <input type="checkbox"/> This title is currently not in Procedure 409 |
| <input type="checkbox"/> Authorized to Offer Degree            |   |

**III Submitted by.**

Name: *Daniel Fej* Date: 23 Aug 17

For System Office use only

Office \_\_\_/\_\_\_/\_\_\_ AAC \_\_\_/\_\_\_/\_\_\_ Cabinet \_\_\_/\_\_\_/\_\_\_ Chancellor \_\_\_/\_\_\_/\_\_\_  
Board \_\_\_/\_\_\_/\_\_\_ HECN \_\_\_/\_\_\_/\_\_\_ CIP code \_\_\_\_\_ Major code \_\_\_\_\_

REQUEST to ESTABLISH a  
**CENTER or INSTITUTE**  
SBHE Policy 307.1  
(submit Stage II cover page with this form)

**1. Proposed Center Name:**

Dakota Institute

**2. Center's Address:**

Bismarck State College  
1500 Edwards Avenue  
P.O. Box 5587  
Bismarck, ND 58506-5587

**3. Center's Telephone:**

701.224.5400

**4. Proposed Center's Directors and Formal Title:**

NA

**5. Who has the authority to commit the proposed Center to financial obligation?**

Dr. Larry C. Skogen

**6. Describe the proposed Center's organizational structure.**

The functions of the Dakota Institute will be included within the responsibilities of the Vice President for Academic Affairs and a cross-functional team including faculty and bookstore staff.

**7. Will there be an advisory committee? If so, list areas of representation.**

No

**8. What are the Mission, Goals, and Objectives of the Center?**

Bismarck State College, under Section 32 of Senate Bill 2003 (effective 1 July 2017), was the recipient of the transfer from North Dakota Parks and Recreation of "up to eighty percent of the remaining inventory of any Dakota [I]nstitute publication, book, or other document or production, regardless of format." The college's portion of this inventory is a little more than 15,000 units, and the intent is to facilitate the sale of these units through appropriate ventures.

**9. Does establishment of the Center duplicate or enhance any existing campus programs?**

No

**10. Identify and explain relationships to other institutions, agencies, and/or academic departments.**

As defined by the transfer, BSC will work with North Dakota Parks and Recreation and the various authors of the units to ensure proper transfer of receipts and royalties.

**11. Identify and explain relationships to state or federal programs.**

As directed by statute, the Dakota Institute will continue to partner with North Dakota

Parks and Recreation to ensure proper royalty payments are reported to the authors of the items within the institute's inventory.

**12. Provide an assessment of the potential value to the campus and to the community.**

The transfer and sale of the Dakota Institute inventory will provide a unique learning experience for students enrolled within various college programs. Net revenues will be directed to scholarship opportunities for students enrolled at the college.

**13. How will the effectiveness of the Center (in terms of costs, stated objectives and benefits to clientele and the university) be evaluated?**

Bismarck State College, under Section 32 of Senate Bill 2003 (effective 1 July 2017), was the recipient of the transfer from ND Parks and Recreation of "up to eighty percent of the remaining inventory of any Dakota [I]nstitute publication, book, or other document or production, regardless of format."

**14. What level of funding will be required (both immediate and future)? Will the Center use appropriated (hard) monies and/or grants and contracts (soft monies)? Provide actual dollars.**

Bismarck State College received no external appropriation to support this transfer and as such will seek to meet the intent of the legislation with minimal impact to the college's current budget.

**15. What are the space requirements for the proposed Center? How will they be met?**

No additional space requirements are expected at this time. The majority of the Dakota Institute's holdings are stored at a preexisting external location.

**16. What are the equipment requirements for the proposed Center? How will they be met?**

No additional equipment will be required to support this institute.

**17. How many clients will be served by the Center?**

Unknown at this time. The Dakota Institute inventory consists of approximately 27 unique products (DVD, hardcover copies, and paperback copies) created by various authors. Completion of the project will involve reaching out to potential buyers to secure their purchase of inventory holdings.

## Summary of Proposed Action ND State Board of Higher Education Meeting – September 28, 2017

1. **Issue:** University of North Dakota (UND) has submitted the following program termination Stage II [requests](#):
  - UND - M.A. in Theatre Arts, CIP Code 50.0501
  - UND - Graduate Certificate and M.S. in Advance Public Health Nurse Program, CIP Code 51.3811
  - UND - Graduate Certificate in Psychiatric Mental Health Nurse Practitioner Program, CIP Code 51.3810
  - UND - Graduate Certificate in Nurse Anesthesia Program, CIP Code 51.3804
  - UND - Graduate Certificate in Family Nurse Practitioner Program, CIP Code 51.3805
2. **Proposed actions:** Approve/deny the Stage II requests of UND to terminate the above list of programs.
3. **Background information:**
  - M.A. in Theatre Arts. The program is being terminated due to lack of resources and limited demand. There are no students remaining in the program.
  - Graduate Certificate and M.S. in Advance Public Health Nurse Program. The program is being terminated due to low enrollment. There are no students in the program.
  - Graduate Certificate in Psychiatric Mental Health Nurse Practitioner Program. The program is being terminated due to low enrollment, and greater interest in the associated degree program. The final cohort will graduate in spring 2018.
  - Graduate Certificate in Nurse Anesthesia Program. The program is being terminated due to low enrollment, and greater interest in the associated degree program. There are no students currently enrolled.
  - Graduate Certificate in Family Nurse Practitioner Program. The program is being terminated due to low enrollment, and greater interest in the associated degree program. There are no students currently enrolled.
4. **Financial implications:** None.
5. **Legal/policy issues:** State Board of Higher Education (SBHE) Policy 403.1.1, *Program Approval*, states, "Academic program termination requires approval of the Board of Higher Education."
6. **Academic issues:** No academic issues were raised at the September 6, 2017, Academic Affairs Council (AAC) meeting.
7. **Coordination:** On September 6, 2017, the AAC voted unanimously to recommend approval of the Stage II requests for review by the Chancellor's Cabinet and advance to the SBHE for approval/denial.

8. **Attachments:** The Stage II requests are attached.
9. **Contact information:** Richard M. Rothaus, Ph.D., Vice Chancellor for Academic and Student Affairs, NDUS. Ph: 701-328-4136/email: [richard.rothaus@ndus.edu](mailto:richard.rothaus@ndus.edu).
10. **Chancellor's recommendation:** Approve

**Provost & Vice President  
for Academic Affairs**

Twamley Hall, Room 302  
264 Centennial Drive Stop 8176  
Grand Forks, ND 58202-8176  
Phone: 701.777.2167  
Fax: 701.777.4139

August 22, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
State Capital Building, 10<sup>th</sup> Floor  
Bismarck, ND 58505

Dear Dr. Rothaus,

The University of North Dakota has several programs that have been under review and, as a result, the University is requesting approval to terminate or suspend the programs listed below. The rationale is included for each program.

The two programs that have been **proposed for suspension** along with the rationale for the decision are:

- **Bachelor of Science in Graphic Design Technology (College of Business & Public Administration, School of Entrepreneurship) – effective fall 2017**  
Rationale: UND has two graphic design programs and many of the courses overlap. Due to this duplication in service and a shortage of faculty within the CoBPA to teach courses, the College of Business & Public Administration and the College of Arts & Sciences collaborated to transition the GDT students in the Graphic Design programs in the College of Arts & Sciences Department of Art & Design. The last GDT student should graduate in spring 2020. No additional students will be admitted into the program.
- **Accelerated Bachelor of Science in Nursing (College of Nursing & Professional Disciplines, Department of Nursing) – effective fall 2017**  
Rationale: The CNPD is seeking to suspend the program while the determination is made if there are enough faculty resources to support both the two tracks for the undergraduate program (the traditional track and the accelerated track). The final cohort will graduate in May 2018. No additional students will be admitted into the program.

The University currently has six programs **proposed for termination**. The program information and rationale for the decisions are as follows:

- **Graduate Certificate in Psychiatric Mental Health Nurse Practitioner (College of Nursing & Professional Disciplines, Department of Nursing) – effective fall 2019**
- **Graduate Certificate in Family Nurse Practitioner (College of Nursing & Professional Disciplines, Department of Nursing) – effective fall 2018**



- **Graduate Certificate in Nurse Anesthesia (College of Nursing & Professional Disciplines, Department of Nursing) – effective fall 2018**  
Rationale: These three certificate programs are proposed for termination due to low enrollment numbers and an increase in competitiveness in the traditional degree program. The certificate programs will be terminated and the traditional graduate degree programs for these specialized fields are still be available. There are current students in the graduate certificate programs for Psychiatric Mental Health Nurse Practitioner and Nurse Anesthesia. The final cohort of three students in the graduate certificate program for Family Nurse Practitioner will graduate in spring 2018. No new students will be admitted.
- **Graduate Certificate in Advanced Public Health Nurse (College of Nursing & Professional Disciplines, Department of Nursing) – effective fall 2017**  
Rationale: The Advanced Public Health Nurse graduate certificate is proposed for termination due to low enrollment. There are no students enrolled in the program.
- **Master of Science in Advanced Public Health Nurse (College of Nursing & Professional Disciplines, Department of Nursing) – effective fall 2018**  
Rationale: The M.S. in Advanced Public Health Nurse Program is proposed for termination secondary to institutional budget reductions together with low enrollment and limited faculty resources. The final cohort for this traditional program will graduate in May 2018. No new students will be admitted.
- **Master of Fine Arts in Theatre Arts (College of Arts & Sciences, Department of Theatre) – effective fall 2017**  
Rationale: Due to lack of resources and limited demand, the MFA program ceased accepting students in spring 2016. The lone remaining student graduated in spring 2017. There is no reasonable expectation that resources or demand will increase in the future and thus it is reasonable to terminate the program and allow the department to focus on its undergraduate programs. No new students will be admitted.

Please contact me if you have any questions concerning this request. Your consideration is greatly appreciated.

Sincerely,



Debbie A. Storrs, Ph.D.  
 Senior Vice Provost

DAS/kmk

**North Dakota University System**  
**ACADEMIC AFFAIRS FORMAL REQUEST**  
**STAGE II COVER PAGE**

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**Institution:** University of North Dakota

**I. Action requested:**

- Approval of new program, Policy 403.1, "Program Approval", SBHE approval
- Approval of new prefix
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- Place program on inactive status, Policy 403.1.3, "Inactive Programs", Chancellor approval
- Program title change, Policy 403.4, "Changes in Program Titles", Chancellor approval
- Corresponding degree title change
- Approval of new program fee, Policy 805.3. 2.d
- Distance education approval, Policy 404.1, "Distance Learning Credit Activities", Chancellor approval
  - New       Change       Update Notice
- Organizational change, Policy 307.1, "Institutional Organization-Notice and Approval", SBHE approval
  - New       Change       Termination
- Other, Policy \_\_\_\_\_, " \_\_\_\_\_ ", \_\_\_\_\_ approval

Effective Date: Fall 2017

**II. Program information (where applicable):**

NDUS Academic Program Code (this is an abbreviation of the Description; example UGBIO) \_\_\_\_\_

Program or Organizational Title Master of Arts in Theatre Arts

Old title (if title change) \_\_\_\_\_

- Major
- Minor
- 2<sup>nd</sup> Major

Short Title Description; (10 characters title) \_\_\_\_\_

Program Prefix Requested \_\_\_\_\_

Implementation Date (old and new dates cannot overlap) Fall 2017

First Valid Term Fall 2017

Academic Career (UG, G, L, M) G

Grading Scheme (UG, G, L, M, Ph) G

Academic Group; (division, college, school) College of Arts and Sciences

Academic Organization/Department Department of Theatre Arts

CIP Code 50.0503

Exact degree/award title (refer to NDUS Procedure 409 for title list):

- |  |   |
|--|---|
| <input type="checkbox"/> Diploma                               | <input type="checkbox"/> Bachelor of Science in Education (B.S.Ed)    |
| <input type="checkbox"/> Certificate Program                   | <input checked="" type="checkbox"/> Master of Arts (M.A.)             |
| <input type="checkbox"/> Associate of Arts (A.A.)              | <input type="checkbox"/> Master of Science (M.S)                      |
| <input type="checkbox"/> Associate of Applied Science (A.A.S.) | <input type="checkbox"/> Doctorate in Education (Ed.D.)               |
| <input type="checkbox"/> Associate of Science (A.S)            | <input type="checkbox"/> Doctor of Philosophy (Ph.D.)                 |
| <input type="checkbox"/> Bachelor of Arts (B.A.)               | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Bachelor of Science (B.S.)            | <input type="checkbox"/> This title is currently not in Procedure 409 |
| <input type="checkbox"/> Authorized to Offer Degree            |   |

**III Submitted by:**

Name:  Date: 8/22/17

For System Office use only:  
 Office \_\_\_/\_\_\_/\_\_\_ AAC \_\_\_/\_\_\_/\_\_\_ Cabinet \_\_\_/\_\_\_/\_\_\_ Chancellor \_\_\_/\_\_\_/\_\_\_  
 Board \_\_\_/\_\_\_/\_\_\_ HECN \_\_\_/\_\_\_/\_\_\_ CIP code \_\_\_\_\_ Major code \_\_\_\_\_

**Provost & Vice President  
for Academic Affairs**

Twamley Hall, Room 302  
264 Centennial Drive Stop 8176  
Grand Forks, ND 58202-8176  
Phone: 701.777.2167  
Fax: 701.777.4139

August 22, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
State Capital Building, 10<sup>th</sup> Floor  
Bismarck, ND 58505

Dear Dr. Rothaus,

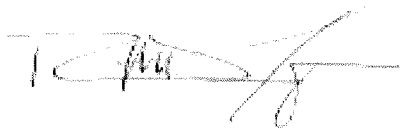
In accordance with the *SBHE Policies 403.1.1, Program Termination*, the University of North Dakota seeks approval to terminate the Master of Arts in Theatre Arts program. Accompanying this request is the Abbreviated Stage II Request Cover Page.

Rationale: The University of North Dakota College of Arts and Sciences proposes termination of this program due to limited demand and lack of resources. The Department of Theatre Arts ceased accepting students into the program in spring 2016 and the lone remaining student graduated in May 2017. There is no reasonable expectation that resources or demand will vastly increase in the future and thus it is reasonable to terminate the program and let the department focus on its undergraduate programs.

**Effective: Fall 2017**

Please contact me if you have any questions concerning this request. Your consideration is greatly appreciated.

Sincerely,



Thomas M. DiLorenzo, Ph.D.  
Provost and Vice President for Academic Affairs

TMD/kmk

**North Dakota University System**  
**ACADEMIC AFFAIRS FORMAL REQUEST**  
**STAGE II COVER PAGE**

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**Institution:** University of North Dakota

**I. Action requested:**

- Approval of new program, Policy 403.1, "Program Approval", SBHE approval
- Approval of new prefix
- Termination of program, Policy 403.1.1, "Program Termination", SBHE approval
- Place program on inactive status, Policy 403.1.3, "Inactive Programs", Chancellor approval
- Program title change, Policy 403.4, "Changes in Program Titles", Chancellor approval
- Corresponding degree title change
- Approval of new program fee, Policy 805.3. 2.d
- Distance education approval, Policy 404.1, "Distance Learning Credit Activities", Chancellor approval
  - New       Change       Update Notice
- Organizational change, Policy 307.1, "Institutional Organization-Notice and Approval", SBHE approval
  - New       Change       Termination
- Other, Policy \_\_\_\_\_, " \_\_\_\_\_ ", \_\_\_\_\_ approval

Effective Date: Fall 2018

**II. Program information (where applicable):**

NDUS Academic Program Code (this is an abbreviation of the Description; example UGBIO) \_\_\_\_\_

Program or Organizational Title M.S. Advanced Public Health Nurse Program

Old title (if title change) \_\_\_\_\_

- Major
- Minor
- 2<sup>nd</sup> Major

Short Title Description; (10 characters title) \_\_\_\_\_

Program Prefix Requested \_\_\_\_\_

Implementation Date (old and new dates cannot overlap) Fall 2018

First Valid Term Fall 2018

Academic Career (UG, G, L, M) G

Grading Scheme (UG, G, L, M, Ph) G

Academic Group; (division, college, school) College of Nursing and Professional Disciplines

Academic Organization/Department Department of Nursing

CIP Code 51.3811

Exact degree/award title (refer to NDUS Procedure 409 for title list):

- |  |   |
|--|---|
| <input type="checkbox"/> Diploma                               | <input type="checkbox"/> Bachelor of Science in Education (B.S.Ed)    |
| <input type="checkbox"/> Certificate Program                   | <input type="checkbox"/> Master of Arts (M.A.)                        |
| <input type="checkbox"/> Associate of Arts (A.A.)              | <input checked="" type="checkbox"/> Master of Science (M.S)           |
| <input type="checkbox"/> Associate of Applied Science (A.A.S.) | <input type="checkbox"/> Doctorate in Education (Ed.D.)               |
| <input type="checkbox"/> Associate of Science (A.S)            | <input type="checkbox"/> Doctor of Philosophy (Ph.D.)                 |
| <input type="checkbox"/> Bachelor of Arts (B.A.)               | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Bachelor of Science (B.S.)            | <input type="checkbox"/> This title is currently not in Procedure 409 |
| <input type="checkbox"/> Authorized to Offer Degree            |   |

**III Submitted by:**

Name: [Signature] Date: 8/17/11

For System Office use only:  
 Office \_\_\_/\_\_\_/\_\_\_ AAC \_\_\_/\_\_\_/\_\_\_ Cabinet \_\_\_/\_\_\_/\_\_\_ Chancellor \_\_\_/\_\_\_/\_\_\_  
 Board \_\_\_/\_\_\_/\_\_\_ HECN \_\_\_/\_\_\_/\_\_\_ CIP code \_\_\_\_\_ Major code \_\_\_\_\_

**Provost & Vice President  
for Academic Affairs**

Twamley Hall, Room 302  
264 Centennial Drive Stop 8176  
Grand Forks, ND 58202-8176  
Phone: 701.777.2167  
Fax: 701.777.4139

August 22, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
State Capital Building, 10<sup>th</sup> Floor  
Bismarck, ND 58505

Dear Dr. Rothaus,

In accordance with the *SBHE Policies 403.1.1, Program Termination*, the University of North Dakota seeks approval to terminate the Master of Science in Advanced Public Health Nurse program. Accompanying this request is the Abbreviated Stage II Request Cover Page.

Rationale: The University of North Dakota School College of Nursing and Professional Disciplines proposes termination of this program secondary to institutional budget reductions together with low enrollment and limited faculty resources. The final cohort for the traditional program had been admitted and will graduate in May 2018.

**Effective: Fall 2018**

Please contact me if you have any questions concerning this request. Your consideration is greatly appreciated.

Sincerely,



Thomas M. DiLorenzo, Ph.D.  
Provost and Vice President for Academic Affairs

TMD/kmk

**North Dakota University System**  
**ACADEMIC AFFAIRS FORMAL REQUEST**  
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**I. Action requested:**

- Approval of new program, Policy 403.1, "Program Approval", SBHE approval
- Approval of new prefix
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- Place program on inactive status, Policy 403.1.3, "Inactive Programs", Chancellor approval
- Program title change, Policy 403.4, "Changes in Program Titles", Chancellor approval
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  - New       Change       Termination
- Other, Policy \_\_\_\_\_, " \_\_\_\_\_ ", \_\_\_\_\_ approval

Effective Date: Fall 2017

**II. Program information (where applicable):**

NDUS Academic Program Code (this is an abbreviation of the Description; example UGBIO) \_\_\_\_\_  
 Program or Organizational Title Graduate Certificate - Advanced Public Health Nurse Program

Old title (if title change) \_\_\_\_\_

- Major
- Minor
- 2<sup>nd</sup> Major

Short Title Description; (10 characters title) \_\_\_\_\_

Program Prefix Requested \_\_\_\_\_

Implementation Date (old and new dates cannot overlap) Fall 2017

First Valid Term Fall 2017

Academic Career (UG, G, L, M) G

Grading Scheme (UG, G, L, M, Ph) G

Academic Group; (division, college, school) College of Nursing and Professional Disciplines

Academic Organization/Department Department of Nursing

CIP Code 51.3811

Exact degree/award title (refer to NDUS Procedure 409 for title list):

- |  |   |
|--|---|
| <input type="checkbox"/> Diploma                               | <input type="checkbox"/> Bachelor of Science in Education (B.S.Ed)    |
| <input checked="" type="checkbox"/> Certificate Program        | <input type="checkbox"/> Master of Arts (M.A.)                        |
| <input type="checkbox"/> Associate of Arts (A.A.)              | <input type="checkbox"/> Master of Science (M.S)                      |
| <input type="checkbox"/> Associate of Applied Science (A.A.S.) | <input type="checkbox"/> Doctorate in Education (Ed.D.)               |
| <input type="checkbox"/> Associate of Science (A.S)            | <input type="checkbox"/> Doctor of Philosophy (Ph.D.)                 |
| <input type="checkbox"/> Bachelor of Arts (B.A.)               | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Bachelor of Science (B.S.)            | <input type="checkbox"/> This title is currently not in Procedure 409 |
| <input type="checkbox"/> Authorized to Offer Degree            |   |

**III Submitted by:**

Name: [Signature] Date: 8/22/17

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**Provost & Vice President  
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August 22, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
State Capital Building, 10<sup>th</sup> Floor  
Bismarck, ND 58505

Dear Dr. Rothaus,

In accordance with the *SBHE Policies 403.1.1, Program Termination*, the University of North Dakota seeks approval to terminate the Graduate Certificate in Advanced Public Health Nurse program. Accompanying this request is the Abbreviated Stage II Request Cover Page.

Rationale: The University of North Dakota College of Nursing and Professional Disciplines proposes termination of this program secondary to institutional budget reductions together with low enrollment and limited faculty resources. There are currently no post-master certificate students in this program.

**Effective: Fall 2017**

Please contact me if you have any questions concerning this request. Your consideration is greatly appreciated.

Sincerely,



Thomas M. DiLorenzo, Ph.D.  
Provost and Vice President for Academic Affairs

TMD/kmk

**North Dakota University System**  
**ACADEMIC AFFAIRS FORMAL REQUEST**  
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- Organizational change, Policy 307.1, "Institutional Organization-Notice and Approval", SBHE approval
  - New       Change       Termination
- Other, Policy \_\_\_\_\_, " \_\_\_\_\_ ", \_\_\_\_\_ approval

Effective Date: Fall 2019

**II. Program information (where applicable):**

NDUS Academic Program Code (this is an abbreviation of the Description; example UGBIO) \_\_\_\_\_

Program or Organizational Title Graduate Certificate - Psychiatric Mental Health Nurse Practitioner Program

Old title (if title change) \_\_\_\_\_

- Major
- Minor
- 2<sup>nd</sup> Major

Short Title Description; (10 characters title) \_\_\_\_\_

Program Prefix Requested \_\_\_\_\_

Implementation Date (old and new dates cannot overlap) Fall 2019

First Valid Term Fall 2019

Academic Career (UG, G, L, M) G

Grading Scheme (UG, G, L, M, Ph) G

Academic Group; (division, college, school) College of Nursing and Professional Disciplines

Academic Organization/Department Department of Nursing

CIP Code 51.3810

Exact degree/award title (refer to NDUS Procedure 409 for title list):

- |  |   |
|--|---|
| <input type="checkbox"/> Diploma                               | <input type="checkbox"/> Bachelor of Science in Education (B.S.Ed)    |
| <input checked="" type="checkbox"/> Certificate Program        | <input type="checkbox"/> Master of Arts (M.A.)                        |
| <input type="checkbox"/> Associate of Arts (A.A.)              | <input type="checkbox"/> Master of Science (M.S)                      |
| <input type="checkbox"/> Associate of Applied Science (A.A.S.) | <input type="checkbox"/> Doctorate in Education (Ed.D.)               |
| <input type="checkbox"/> Associate of Science (A.S)            | <input type="checkbox"/> Doctor of Philosophy (Ph.D.)                 |
| <input type="checkbox"/> Bachelor of Arts (B.A.)               | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Bachelor of Science (B.S.)            | <input type="checkbox"/> This title is currently not in Procedure 409 |
| <input type="checkbox"/> Authorized to Offer Degree            |   |

**III Submitted by:**

Name: [Signature] Date: 8/22/17

For System Office use only:  
 Office \_\_\_/\_\_\_/\_\_\_ AAC \_\_\_/\_\_\_/\_\_\_ Cabinet \_\_\_/\_\_\_/\_\_\_ Chancellor \_\_\_/\_\_\_/\_\_\_  
 Board \_\_\_/\_\_\_/\_\_\_ HECN \_\_\_/\_\_\_/\_\_\_ CIP code \_\_\_ Major code \_\_\_



**Provost & Vice President  
for Academic Affairs**

Twamley Hall, Room 302  
264 Centennial Drive Stop 8176  
Grand Forks, ND 58202-8176  
Phone: 701.777.2167  
Fax: 701.777.4139

August 22, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
State Capital Building, 10<sup>th</sup> Floor  
Bismarck, ND 58505

Dear Dr. Rothaus,

In accordance with the *SBHE Policies 403.1.1, Program Termination*, the University of North Dakota seeks approval to terminate the Graduate Certificate in Psychiatric Mental Health Nurse Practitioner Program. Accompanying this request is the Abbreviated Stage II Request Cover Page.

Rationale: Post-master certificate students were admitted through the same pool as the traditional applicants. Upon review of other post-master certificate programs, it was determined that the amount of credits required made the program unattractive to applicants. Further, due to low enrollment and an increase in the competitiveness of the traditional program, it was decided that resources were better utilized by increasing enrollment in the traditional program.

**Effective: Fall 2019**

Please contact me if you have any questions concerning this request. Your consideration is greatly appreciated.

Sincerely,



Thomas M. DiLorenzo, Ph.D.  
Provost and Vice President for Academic Affairs

TMD/kmk

**North Dakota University System**  
**ACADEMIC AFFAIRS FORMAL REQUEST**  
**STAGE II COVER PAGE**

This form is to accompany each academic request to the System office for State Board of Higher Education or Chancellor action. The purpose of the form is to streamline the request process, promote consistency, and foster improved record-keeping.

**Institution:** University of North Dakota

**I. Action requested:**

- Approval of new program, Policy 403.1, "Program Approval", SBHE approval
- Approval of new prefix
- Termination of program, Policy 403.1.1, "Program Termination", SBHE approval
- Place program on inactive status, Policy 403.1.3, "Inactive Programs", Chancellor approval
- Program title change, Policy 403.4, "Changes in Program Titles", Chancellor approval
- Corresponding degree title change
- Approval of new program fee, Policy 805.3. 2.d
- Distance education approval, Policy 404.1, "Distance Learning Credit Activities", Chancellor approval
  - New       Change       Update Notice
- Organizational change, Policy 307.1, "Institutional Organization-Notice and Approval", SBHE approval
  - New       Change       Termination
- Other, Policy \_\_\_\_\_, " \_\_\_\_\_ ", \_\_\_\_\_ approval

Effective Date: Fall 2017

**II. Program information (where applicable):**

NDUS Academic Program Code (this is an abbreviation of the Description; example UGBIO) \_\_\_\_\_

Program or Organizational Title Graduate Certificate - Nurse Anesthesia Program

Old title (if title change) \_\_\_\_\_

- Major
- Minor
- 2<sup>nd</sup> Major

Short Title Description; (10 characters title) \_\_\_\_\_

Program Prefix Requested \_\_\_\_\_

Implementation Date (old and new dates cannot overlap) Fall 2017

First Valid Term Fall 2017

Academic Career (UG, G, L, M) G

Grading Scheme (UG, G, L, M, Ph) G

Academic Group; (division, college, school) College of Nursing and Professional Disciplines

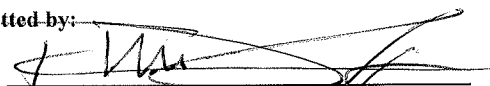
Academic Organization/Department Department of Nursing

CIP Code 51.3804

Exact degree/award title (refer to NDUS Procedure 409 for title list):

- |  |   |
|--|---|
| <input type="checkbox"/> Diploma                               | <input type="checkbox"/> Bachelor of Science in Education (B.S.Ed)    |
| <input checked="" type="checkbox"/> Certificate Program        | <input type="checkbox"/> Master of Arts (M.A.)                        |
| <input type="checkbox"/> Associate of Arts (A.A.)              | <input type="checkbox"/> Master of Science (M.S)                      |
| <input type="checkbox"/> Associate of Applied Science (A.A.S.) | <input type="checkbox"/> Doctorate in Education (Ed.D.)               |
| <input type="checkbox"/> Associate of Science (A.S)            | <input type="checkbox"/> Doctor of Philosophy (Ph.D.)                 |
| <input type="checkbox"/> Bachelor of Arts (B.A.)               | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Bachelor of Science (B.S.)            | <input type="checkbox"/> This title is currently not in Procedure 409 |
| <input type="checkbox"/> Authorized to Offer Degree            |   |

**III Submitted by:**

Name:  Date: 8/22/17

For System Office use only:  
 Office \_\_\_/\_\_\_/\_\_\_ AAC \_\_\_/\_\_\_/\_\_\_ Cabinet \_\_\_/\_\_\_/\_\_\_ Chancellor \_\_\_/\_\_\_/\_\_\_  
 Board \_\_\_/\_\_\_/\_\_\_ HECN \_\_\_/\_\_\_/\_\_\_ CIP code \_\_\_ Major code \_\_\_

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August 22, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
State Capital Building, 10<sup>th</sup> Floor  
Bismarck, ND 58505

Dear Dr. Rothaus,

In accordance with the *SBHE Policies 403.1.1, Program Termination*, the University of North Dakota seeks approval to terminate the Graduate Certificate in Nurse Anesthesia Program. Accompanying this request is the Abbreviated Stage II Request Cover Page.

Rationale: Post-master certificate students were admitted through the same pool as the traditional applicants. Upon review of other post-master certificate programs, it was determined that the amount of credits required made the program unattractive to applicants. Further, due to low enrollment and an increase in the competitiveness of the traditional program, it was decided that resources were better utilized by increasing enrollment in the traditional program. There are currently no post-master certificate students in this program.

**Effective: Fall 2017**

Please contact me if you have any questions concerning this request. Your consideration is greatly appreciated.

Sincerely,



Thomas M. DiLorenzo, Ph.D.  
Provost and Vice President for Academic Affairs

TMD/kmk

**North Dakota University System**  
**ACADEMIC AFFAIRS FORMAL REQUEST**  
**STAGE II COVER PAGE**

This form is to accompany each academic request to the System office for State Board of Higher Education or Chancellor action. The purpose of the form is to streamline the request process, promote consistency, and foster improved record-keeping.

**Institution:** University of North Dakota

**I. Action requested:**

- Approval of new program, Policy 403.1, "Program Approval", SBHE approval
- Approval of new prefix
- Termination of program, Policy 403.1.1, "Program Termination", SBHE approval
- Place program on inactive status, Policy 403.1.3, "Inactive Programs", Chancellor approval
- Program title change, Policy 403.4, "Changes in Program Titles", Chancellor approval
- Corresponding degree title change
- Approval of new program fee, Policy 805.3. 2.d
- Distance education approval, Policy 404.1, "Distance Learning Credit Activities", Chancellor approval
  - New       Change       Update Notice
- Organizational change, Policy 307.1, "Institutional Organization-Notice and Approval", SBHE approval
  - New       Change       Termination
- Other, Policy \_\_\_\_\_, " \_\_\_\_\_ ", \_\_\_\_\_ approval

Effective Date: Fall 2018

**II. Program information (where applicable):**

NDUS Academic Program Code (this is an abbreviation of the Description; example UGBIO) \_\_\_\_\_

Program or Organizational Title Graduate Certificate - Family Nurse Practitioner Program

Old title (if title change) \_\_\_\_\_

- Major
- Minor
- 2<sup>nd</sup> Major

Short Title Description; (10 characters title) \_\_\_\_\_

Program Prefix Requested \_\_\_\_\_

Implementation Date (old and new dates cannot overlap) Fall 2018

First Valid Term Fall 2018

Academic Career (UG, G, L, M) G

Grading Scheme (UG, G, L, M, Ph) G

Academic Group; (division, college, school) College of Nursing and Professional Disciplines

Academic Organization/Department Department of Nursing

CIP Code 51.3805

Exact degree/award title (refer to NDUS Procedure 409 for title list):

- |  |   |
|--|---|
| <input type="checkbox"/> Diploma                               | <input type="checkbox"/> Bachelor of Science in Education (B.S.Ed)    |
| <input checked="" type="checkbox"/> Certificate Program        | <input type="checkbox"/> Master of Arts (M.A.)                        |
| <input type="checkbox"/> Associate of Arts (A.A.)              | <input type="checkbox"/> Master of Science (M.S)                      |
| <input type="checkbox"/> Associate of Applied Science (A.A.S.) | <input type="checkbox"/> Doctorate in Education (Ed.D.)               |
| <input type="checkbox"/> Associate of Science (A.S)            | <input type="checkbox"/> Doctor of Philosophy (Ph.D.)                 |
| <input type="checkbox"/> Bachelor of Arts (B.A.)               | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Bachelor of Science (B.S.)            | <input type="checkbox"/> This title is currently not in Procedure 409 |
| <input type="checkbox"/> Authorized to Offer Degree            |   |

**III Submitted by:**

Name:  Date: 8/22/17

For System Office use only:  
 Office \_\_\_/\_\_\_/\_\_\_ AAC \_\_\_/\_\_\_/\_\_\_ Cabinet \_\_\_/\_\_\_/\_\_\_ Chancellor \_\_\_/\_\_\_/\_\_\_  
 Board \_\_\_/\_\_\_/\_\_\_ HECN \_\_\_/\_\_\_/\_\_\_ CIP code \_\_\_/\_\_\_/\_\_\_ Major code \_\_\_/\_\_\_/\_\_\_

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August 22, 2017

Richard Rothaus, Ph.D.  
Vice Chancellor for Academic and Student Affairs  
North Dakota University System  
State Capital Building, 10<sup>th</sup> Floor  
Bismarck, ND 58505

Dear Dr. Rothaus,

In accordance with the *SBHE Policies 403.1.1, Program Termination*, the University of North Dakota seeks approval to terminate the Graduate Certificate in Family Nurse Practitioner Program. Accompanying this request is the Abbreviate Stage II Request Cover Page.

Rationale: Post-master certificate students were admitted through the same pool as the traditional applicants. Upon review of other post-master certificate programs, it was determined that the amount of credits required made the program unattractive to applicants. Further, due to low enrollment and an increase in the competitiveness of the traditional program, it was decided that resources were better utilized by increasing enrollment in the traditional program.

**Effective: Fall 2018**

Please contact me if you have any questions concerning this request. Your consideration is greatly appreciated.

Sincerely,



Thomas M. DiLorenzo, Ph.D.  
Provost and Vice President for Academic Affairs

TMD/kmk

**NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL**

**SUBJECT:** PERSONNEL

**EFFECTIVE:** June 16, 2011

**Section:** 605.1 Academic Freedom and Tenure; Academic Appointments

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1. General Principles

- a. A college or university is a forum for ideas, and it cannot fulfill its purpose of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. Academic freedom and tenure are both important in guaranteeing the existence of such a forum. This policy is intended to enable institutions under the authority of the Board to protect academic freedom.
- b. The purpose of tenure is to assure academic freedom. Academic freedom applies to all scholarly pursuits. Freedom in scholarship is fundamental to the advancement of knowledge and for the protection of the rights of the faculty members and students. It carries with it duties and responsibilities correlative with rights. These duties and rights are set forth in policy 401.1, relating to Academic Freedom, and the **1940 Statement of Principles on Academic Freedom and Tenure** (Rev. 1990), adopted by the American Association of University Professors and the Association of American Colleges. These policies apply to all institution faculty unless otherwise indicated.
- c. Tenure is awarded by the Board upon recommendation of the Chancellor, following review and recommendations made pursuant to the procedures established at the institution and a recommendation by the institution's president to the Chancellor. A favorable recommendation means that the applicant meets all of the prerequisites and criteria and the award of tenure is consistent with the sound fiscal management and academic priorities of the institution and the system of education under the control of the Board. Tenure recommendations submitted to the Board shall include a brief summary of the candidate's qualifications and reasons for the recommendation. Tenure is not an entitlement, and the granting of tenure requires an affirmative act by the Board. Tenure is limited to the academic unit or program area in the institution in which tenure is granted and shall not extend to an administrative or coaching position.

2. Definitions of terms used in sections 605.1, 605.2, 605.3 and 605.4:

- a. "Academic Year" means the period, approximately nine months in duration, starting with the beginning of the Fall semester and ending following completion of the Spring semester.
- b. "Board" means the North Dakota State Board of Higher Education.

- c. "Faculty" means all members of the academic staff, excluding only coaches and administrators in their capacities as coaches or administrators.
- d. "Receipt" means either actual or constructive receipt. Constructive receipt means the sending party has taken all reasonable steps to ensure that the receiving party has received actual notice.

### 3. General Procedures

- a. Because of the variety of scope and organizational structure of the institutions under the control of the Board, the faculty governance structure at each institution, in accordance with section 305.1 of these policies, shall recommend procedural regulations to the president to implement policies 605.1, 605.2, 605.3 and 605.4, including:
  - i. procedures for continuing evaluation of both probationary and tenured faculty members; and
  - ii. criteria and procedures by which faculty members are evaluated and recommended for tenure.
- b. The criteria for tenure evaluation and continuing evaluation of probationary and tenured faculty shall include scholarship in teaching, contribution to a discipline or profession through research, other scholarly or professional activities, and service to the institution and society. Institutions may adopt additional criteria. The regulations defining these criteria shall be consistent with the nature and mission of the institution.
  - i. Institutions shall establish various tenure "plans" appropriate to the diverse missions of individual institutions, designed to encourage emphasis on research, scholarship in teaching (including, for example, utilization of technology in teaching and innovative teaching methods), service (including, for example, technology transfer and economic development) and other areas of emphasis. Institution regulations shall include guidelines for determining weight to be given each of the criteria for tenure evaluation and continuing evaluation. The guidelines shall provide for varying emphases on the enumerated criteria based upon the faculty member's plan, the needs of the institution and the background, abilities and interests of the faculty member.
  - ii. Tenured and probationary faculty contracts shall identify the faculty member's tenure plan and describe the faculty member's duties and goals. The contracts shall specify the weight to be given the criteria for evaluating performance. The contract provisions shall be reviewed and, when appropriate, revised as a part of the faculty member's periodic evaluations.
- c. Eligibility for tenure requires a probationary period of six years of continuous academic service to the institution, during which the faculty member is evaluated at least annually according to an evaluation process designed to foster continuous improvement. The term may be extended beyond six years or the continuous service requirement may be waived

in exceptional circumstances. Institutions shall establish procedures for granting extensions or waivers of the continuous service requirement in exceptional circumstances, which must include maternity or parental leave and appropriate accommodations for faculty members with disabilities. Institution procedures may define additional exceptional circumstances including, for example, family emergencies or extended illness.

- d. An institution may, subject to procedural requirements stated in this policy and sections 605.2, 605.3, and 605.4, decline to renew the contract of a probationary faculty without cause at any time during the probationary period.

4. Faculty appointments shall be probationary, tenured or special.

- a. PROBATIONARY APPOINTMENTS are renewable annually and yield credit toward tenure. The probationary term is limited to six years of continuous academic service, excluding extensions to the term or exceptions to the continuous service requirement granted in exceptional circumstances.
  - i. An individual with previous professional experience may, at the discretion of the institution, be given tenure credit not to exceed three years for this experience, with such credit to be regarded as academic service to the institution for the purpose of these regulations. The faculty member shall be informed in writing of this policy and the institution's decision prior to or at the time of appointment.
  - ii. Time spent on leave of absence or developmental leave may be counted, up to a maximum of two years, as academic service for the purposes of these regulations. The amount shall be determined, and the faculty member informed in writing, including any applicable conditions, prior to authorization of the leave.
- b. TENURED APPOINTMENTS recognize a right, subject to Board policy, to continuous academic year employment in an academic unit or program area as defined by an institution and stated on the contract. A faculty member shall qualify to be recommended for a tenured appointment by satisfying the criteria for tenure developed in accordance with subsection 3 of this policy.
  - i. The following persons are not eligible for tenured appointment:
    - a) Faculty members with a part-time or temporary appointment. However, faculty members who have been awarded part-time tenure as established by previous Board policy and those who accept a part-time appointment after being awarded tenure in a full-time position shall continue to have such tenure recognized.
    - b) An institution's president.
  - ii. The Board may, following review and recommendations made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to an institution's chief academic officer or to



any other person appointed to the faculty who has not met the eligibility requirement of subdivision 3(c) of this policy, provided that the person, at the time tenure is granted, has:

- a) held a tenured appointment at another institution, or
  - b) been a faculty member at the institution for at least one prior academic year.
- iii. The Board may, following review and recommendation made pursuant to the procedures established at an institution award tenure in exceptional circumstances, defined by the institution's procedures, to any person appointed to the faculty who has not met the eligibility requirements of subdivisions 3(b) and 3(c) of this policy, provided that the person has a documented record of outstanding achievement and consistent excellence in a discipline or profession gained through research, scholarly or professional activities, or service.
- c. SPECIAL APPOINTMENTS do not involve either tenure credit or status. Special appointments are all appointments except tenured or probationary appointments, including:
- i. Courtesy adjunct appointments awarded in accordance with Board policy to professional people who contribute to the academic or research program of the institution;
  - ii. Visiting appointments for people holding academic rank at another institution of higher education;
  - iii. Appointments of retired faculty members on special conditions;
  - iv. Initial appointments supported wholly or partially by other than state appropriated funds;
  - v. Appointments clearly limited to a brief association with the institution, as defined by the institution;
  - vi. Terminal appointments given with notice of nonrenewal to faculty members who were previously on probationary appointment. A terminal appointment with notice of nonrenewal must be given to a faculty member no later than the end of the sixth year of probationary appointment if the decision is made to deny tenure;
  - vii. Part-time faculty;
  - viii. Lectureship appointments, which shall be for performance of specifically assigned academic duties only, without general faculty responsibilities;
  - ix. Graduate teaching assistant appointments;

- x. Postdoctoral fellowships and clinical appointments; and
  - xi. Other faculty appointments, not probationary or tenured, that are designed to help fulfill the institution's mission or meet long-term needs. The appointments shall be subject to an agreement describing the faculty member's duties and goals, criteria and weight assigned each criteria for evaluation. The term of an appointment and agreement, or renewal thereof, may not exceed three years. The faculty member's performance and achievement of goals shall be evaluated during the final year of an appointment. An appointment may be renewed only if the evaluation demonstrates satisfactory performance.
5. The general terms and conditions of appointment shall be provided the appointee in a written contract. The contract shall state whether the appointment is probationary, tenured or special. The term of a contract, except contracts made pursuant to paragraph 4(c)(xi), shall generally not exceed one year. A multiple-year contract must be subject to termination upon discontinuance of the program in which the faculty member is employed, non-appropriation or loss of funds, or other financial exigency. For faculty on nine- or ten-month contracts covering the traditional academic year (generally, August to May), institutions shall, not later than June 30 each year, provide notice of renewal terms with a contract, agreement or appointment letter to be signed by both parties. Absent good cause or agreement extending or establishing a different deadline, faculty must sign and return a contract or other document indicating acceptance of contract terms not later than July 20. Institutions shall establish procedures providing that failure to return a signed contract or other document indicating acceptance of contract terms by July 20 constitutes a resignation resulting in termination of employment, effective July 20, except for good cause shown by the faculty member or unless the institution has granted an extension. Prior to the end of the spring semester each year, institutions shall provide notice to faculty summarizing the process and deadlines for contract renewal, including information on extending deadlines to accommodate faculty who may be traveling or not able to readily receive and respond to communications during summer months.
6. The institutional process for evaluation of faculty, the criteria and minimum expectations for promotion and for tenure, and provisions concerning required notices, shall be made known to the appointee at the time of appointment. This disclosure may be accomplished by a published description of the process, criteria, and expectations in a faculty handbook or similar document. Such provisions are subject to change according to processes established for adoption or amendment of Board and institutional policies. Institution procedures shall provide for annual evaluation of all full-time faculty. The procedures shall include provisions requiring that evaluations are completed in a timely and appropriate fashion and that the institution takes appropriate remedial action in response to unsatisfactory evaluations. Evaluation criteria shall relate to a faculty member's duties and goals and be appropriately weighted in accordance with the terms of the faculty member's contract. Evaluations of all teaching faculty must include significant student input.

**HISTORY:** Replaces portions of Policy 605, SBHE Minutes April 25, 1995, page 6554.

Amendment SBHE Minutes, September 19, 1996, page 6681.  
Amendment SBHE Minutes, February 17-18, 2000.  
Amendment SBHE Minutes, May 30, 2001.  
Amendment SBHE Minutes, November 16, 2001.  
Amendment SBHE Minutes, March 19, 2009.  
Amendment SBHE Minutes, June 16, 2011.