

DRAFT
North Dakota State Board of Higher Education
September 13, 2023, Post-Tenure Ad Hoc Committee Meeting Minutes

The State Board of Higher Education Post-Tenure Ad Hoc Committee met Wednesday, September 13, 2023, at 3:30 p.m. CDT, via Teams.

Dr. Ryan called the meeting to order at 3:30 p.m. CT.

SBHE Members participating:

Dr. Casey Ryan
Mr. Tim Mihalick
Dr. Lisa Montplaisir

NDUSO Participating:

Ms. Lisa Johnson, NDUS
Mr. Darin King, CTS
Ms. Terry Meyer, NDUS
Ms. Claire Gunwall, NDUS
Mr. Jerry Rostad, NDUS
Mr. Chris Pieske, NDUS

Institution Representatives Present:

President Jensen, BSC
President Darling, LRSC
President Shirley, MiSU
Mr. Eric Link, UND
Dean Simone, DCB
President Van Horn, MaSU
President Flanigan, NDSCS
President Hirning, WSC

Others Participating:

Ms. Meredith Larson, AG's Office

1. Agenda

Montplaisir moved, Mihalick seconded, to approve the agenda, as presented.

Mihalick, Montplaisir, and Ryan voted yes.

Ms. Lisa Johnson provided a review of the faculty appointment report that was provided at the committee's July meeting.

Campus representatives provided the committee with an overview of their current process and proceeds regarding the various stages of tenured faculty, more specifically, post-tenure.

2. Institution Tenure & Post-tenure Information:

- a. [BSC](#)
- b. [DCB](#)
- c. [LRSC](#)
- d. [NDSCS](#)
- e. [WSC](#)

The Presidents from the above listed institutions summarized their tenure process. The committee discussed the different components and noted that each institution has specific circumstances and resources that are unique to the institutions and their instructional delivery. The committee acknowledged that there are SBHE policies, NDUS procedures, and campus processes that will be reviewed after all the campuses have presented their information. Some presidents have already started a review of their tenure process; however, any changes will be determined at the direction of the committee going forward. The committee will determine if it is best to charge the Chancellor's Cabinet to review policies and procedures collectively or by institution for further input and recommendations for the Board to consider.

The following components, depending on the institution were also discussed, but not limited to:

- Requirements for tenure track.
- Allowing unique variables by institution vs one size fits all.
- Presidents' involvement in the tenure process.
- Post-tenure requirements:
 - Annual and comprehensive reviews.
 - Professional development activities.
 - Research vs non-research expectations.
 - Annual program and faculty load reports.
- Tenure for administrative vs faculty trajectory.
- Faculty tenured by department/programs.
 - Percentage of tenure, caps to the percentage per department/programs.
- Having the flexibility to meet market needs – new programs, termination of programs.
 - Institution leadership having the ability to make program adjustments, as needed.
- Resources, such as funding:
 - Additional benefits offered to tenured individuals, compensation, leave time, etc.
- Attracting and retaining quality faculty.
- Ranking and evaluations by tenured vs. non-tenured.
- Specific institution policy regarding tenure.

The committee inquired if any institutions have an outlying element of tenure; President Jensen informed the committee that when he became President at BSC, the process/procedure to replace an outgoing tenured faculty required that position to be filled by another tenured faculty. No other institution had any outlying elements they requested direction on. The committee members received clarification from presidents that all faculty have an annual evaluation process, but some institutions do their staff evaluations differently than their faculty. They also agreed that institutions that offer tenure should have a more rigorous process in place, including a comprehensive review at a minimum of every three years. There was agreement that there should be a comprehensive review; however, what and how rigorous will be further discussed, noting that each of the

eleven institutions has different levels of institutional needs. Some of the required elements suggested for post-tenure were scholarly writing, scholarly applied research, and grant writing.

3. Measuring post-tenure work responsibilities

The committee will discuss measuring post-tenure work responsibilities at a future meeting to allow time for further input from the presidents and policy and procedures have been reviewed.

4. CCF feedback

Faculty feedback will be discussed at a future meeting, after each campus has had a chance to provide information over the next few meetings.

The meeting adjourned at 4:40 p.m. CT.



Tenure

What is the purpose of tenure of your institution?

Tenured faculty at polytechnic institutions have a responsibility to conduct applied research, publish scholarly writing in applied disciplines, perform service to the institution and the community that drives economic and workforce development, and to teach in foundational or applied disciplines. As North Dakota's Polytechnic, BSC needs tenured faculty to engage in scholarly endeavors well beyond teaching. The applied nature of the institution requires faculty to develop, nurture, and deepen relationships with their students, their colleagues, the community, and with industry.

Given the changing nature of Higher Education and the State of North Dakota's focus on education being an economic investment and a workforce talent development system, NDUS tenure policies need to provide a general framework within which the various institutions may tailor the terms of faculty appointments to their particular needs.

How does tenure support the mission and vision of your institution?

A tenure system that is aligned with economic development and workforce needs of the state, ensures faculty are current in their respective fields, and promotes academic excellence would support BSC's mission. Given the highly dynamic nature of industry and the changing needs of the state, life-time faculty appointments, without periodic review, may exhibit diminishing returns to the institution's students and the state's taxpayers as faculty risk losing currency or relevance in their respective fields.

Post-tenure

Does your institution have a post-tenure review/evaluation process that is distinct from the annual review process?

No

Policy/Procedure/Suggestions

What suggestions do you have to improve the tenure/post-tenure process at your institution?

Implement a post-tenure review process that recognized the unique needs of polytechnic institutions and their close connection with industry and economic and workforce development. Post-tenure reviews need to align, generally, with other institutions in the NDUS and have expectations that are specific to BSC. Like the tenure review process, post-tenure review needs to have periodic check points to ensure faculty continue to be current in their disciplines and they are conducting applied research, publishing scholarly writing in applied disciplines, performing service to the institution and the community that drives economic and workforce development, and teaching in foundational or applied disciplines.

What suggested edits do you recommend to SBHE Policy and NDUS Procedure related to tenure?

Suggested edits are provided in the department-level policies and procedures question. The policy recommendations provided have been made in light of HB 1003 creating a new section in century code (N.D.C.C. 15-10-73). See pages 19-41.

Faculty Policy - Performance Evaluation of Faculty

Purpose:

Bismarck State College shall conduct performance evaluations on all faculty on an annual basis.

Statement of General Principles:

It is the intent of the College that performance evaluations of faculty be conducted positively and constructively. The procedure shall be such that every faculty member evaluated is left with a feeling of support, a clear understanding of when and how performance can be improved and certain knowledge that strengths have been recognized and valued. The overall mission of faculty performance evaluations is to ensure and maintain superb instruction at Bismarck State College.

Definitions:

Adjunct Faculty: those members of the faculty who teach on a part-time basis, have no scholarship or service components to their contracts, and who are limited in the number of credits and/or contact hours they teach. Adjunct faculty do not receive benefits. Their term of employment is semester by semester.

Part-Time Regular Faculty: those members of the faculty who have less than full-time positions, but who do have scholarship and service components to their contracts, and who do receive benefits. Their term of employment is typically the standard academic year.

Full-Time Faculty: those members of the faculty with full-time contracts, who have scholarship and service responsibilities, who receive benefits, and who have annual contracts.

New Faculty: any of the preceding three classes of faculty who has not taught at least two semesters at Bismarck State College.

Policy:

1. The standing committee on faculty rights of the Bismarck State College's Faculty Senate, in accordance with the policies and regulations of the State Board of Higher Education, shall recommend to the President of the College procedures for the continuing evaluation of adjunct, special non-tenure track, probationary and tenured faculty.
2. Once approved by the President of the College the performance evaluation procedures

and materials shall be published.

3. It shall be the responsibility of the appropriate Academic Dean to ensure that faculty performance is appraised in accordance with the procedures approved and adopted by the President of the College.

Procedure:

1. All new faculty (full-time, part-time, adjuncts, and early entry) must have full evaluations in each of the first two semesters they teach for BSC.
2. All faculty (full-time, part-time, adjuncts, and early entry) must have at least partial evaluations every year.
3. All faculty (full-time, part-time, adjuncts, and early entry) must have full evaluations at least every third year.
4. After the appropriate faculty evaluation forms are completed by the evaluator, department chairs will electronically send to full-time, part-time, adjunct, and / or early entry faculty asking them to review, electronically sign, date, and return to the department chair.
 - a. The faculty member must sign the performance evaluation signifying only that he/she has read the document and has been provided the opportunity of attaching a written response.
5. Department chairs will electronically sign evaluation forms and send to the administrative assistants to the Deans.
6. Administrative assistants will forward evaluation forms to the Deans for review and electronic signature.
7. The Deans will return evaluation forms to administrative assistants, who will electronically send to Human Resources.
8. Human Resources Office will place the evaluation in the faculty member's master personnel file.

Evaluation Components:

Full Faculty (Full-time, part-time, adjuncts, and early entry) evaluation includes each of the following components

1. Evaluation by Students
2. Faculty Performance Appraisal Classroom Observation and Evaluation by Supervisor or Peer, or Adjunct and Early Entry Faculty Performance Appraisal Classroom Observation and Evaluation by Supervisor or Peer
3. Self-Evaluation Part I (use in Fall term) or Part II (use in Spring term)

Partial Faculty (full-time, part-time, adjuncts, and early entry) evaluation includes each of the following components

1. Evaluation by Students
2. Faculty Performance Evaluation Short Form

History of This Policy:

First policy draft January 19, 1981.

Revisions - October 31, 1985; November 4, 1985; July 1, 1987; June 1, 1990; August 7, 1997; January 12, 2004; October 20, 2009; July 31, 2012; October 24, 2016; May 31, 2017; reviewed by the Faculty Senate on March 5, 2020 reviewed by the Operations Council on March 11, 2020 and approved by the Executive Council on March 27, 2020.

Faculty Policy - Tenure Track Positions

Policy:

Bismarck State College shall establish a system for determining tenure track and non-tenure track positions.

Statement of Purpose:

At their best, institutions of higher education are learning communities where the pursuit of academic excellence is enhanced by a free and open intellectual atmosphere. Colleges, by their very nature, are dynamic; programs and courses of study evolve to meet the changing needs of society. It is in the best interests of a college and its faculty to develop and maintain systems to protect unfettered discourse as well as encouraging dynamic response to the needs of the citizenry it serves. To that end, Bismarck State College has established the following measures for the identification of tenure track and non-tenure track faculty positions and the hiring of faculty into those positions.

Identification of Positions and the Hiring of Faculty:

- 1. New full-time faculty will be offered a tenure track contract at the time of hiring when minimum job description criteria have been met and the new faculty member is replacing a tenured or tenure-track person in a program where enrollment is stable or increasing.**
- 2. New full-time faculty will be offered a non-tenure track contract at the time of hiring when one or more of the following applies:**
 - a. The position is in a program that is new and/or not established. (See Standards listed in Section 3c.)
 - b. The position is less than three years old and the need for the position in the future is uncertain. (See Standards listed in Section 3d.)
 - c. The position is funded under grants or contracts as per the annual operating budget prepared by the Vice President of Operations/Chief Financial Officer.
- 3. Conversion of non-tenure track positions to tenure track positions will occur at the next contract period when:**

- a. The faculty member is in good standing, with no serious performance issues and has met minimum job description criteria.
- b. The faculty member is recommended for tenure track status by the Assistant Dean or appropriate Academic Dean.
- c. The faculty member was hired to teach in a new program that has been determined to be viable. (Standards: program is five years old and is running at an average of 75% of capacity or greater.)
- d. The faculty member was hired into a new position that has been determined to be viable. (Standards: position is three years old and enrollment has been stable or increasing compared to the year the new position was created.)
- e. At the time of adoption of this policy, a non-tenure track faculty member is holding a position previously held by a tenured or tenure track faculty member and enrollment is stable or increasing.
- f. At the time of adoption of this policy, a non-tenure track faculty member is holding a position in an established program where enrollment is stable or increasing. (See Standards, Section 3c.)

4. Awarding of credit towards tenure to faculty converting from non-tenure track positions to tenure track positions will be in accordance with North Dakota University System policy and as detailed in the following table:

Service in Non-tenure Track Position*	Credit towards Tenure
<1 year	0 years
<2 years but ≥ 1 year	1 year
<3 years but ≥ 2 years	2 years
≥ 3 years	3 years

**Years in which performance issues were documented will not be counted.*

5. The Vice President for Academic Affairs and appropriate Academic Dean will make the final determination of tenure track status for faculty provided for by this policy and as needed to meet the best interests of the college.

History of This Policy:

First policy draft by Faculty Senate during the 2003-04 academic year. Approved by President Donna Thigpen on May 1, 2004.

Revisions - Approved by President Larry Skogen on June 1, 2007; April 20, 2010; Revised by the Faculty Senate on October 7, 2010; August 4, 2014; October 14, 2016, September 28, 2017, September 24, 2019: revised and approved by Faculty Senate on 18 Aug 2022, reviewed by the Campus Council on 31 Aug 2022, reviewed and approved at Vice President's meeting on 2 Sept 2022.

Faculty Policy - Granting of Tenure

Statement of Regulation:

The North Dakota State Board of Higher Education retains unto itself the final and absolute authority to grant tenure. To assist in this decision, the Board takes into consideration the recommendations of the institution's faculty and the endorsement of the institution's President.

In order to qualify for consideration of tenure a faculty member must:

1. Complete six years of probationary service to the College.
2. Be recommended for tenure by the Bismarck State College Faculty Senate's Tenure Committee.
3. Receive the endorsement of the President of the College.

Statement of Purpose:

Tenure has as its fundamental purpose the protection of academic freedom in order to maintain a free and open intellectual atmosphere. The justification lies in the character of scholarly activity, which requires protection from improper influences from either outside or inside the college. A tenure policy strengthens the capability of a college to attract and retain superior teachers and scholars as members of the faculty. Bismarck State College's tenure policy improves the quality of the faculty by requiring that each faculty member's performance be carefully scrutinized before tenure is granted and periodically thereafter.

Credit for Previous Professional Experience:

An individual with previous professional experience may, at the discretion of the President of the College, be given tenure credit not to exceed three years. Such credit will be regarded as service to the College for the purpose of this policy. The decision to award credit for previous professional experience shall be made by the President of the College.

Faculty Senate's Tenure Committee:

1. The Faculty Senate's Tenure Committee shall consist of five members with tenure status selected by the Senate.

2. Members shall serve for five years, except that one member of the original five shall retire each year.

Procedures:

1. In September of each academic year, the Vice President for Academic Affairs shall notify those persons who are eligible for tenure and submit these names to the Faculty Senate's Tenure Committee for consideration.
2. It is the tenure applicant's responsibility to develop and present an application folder to the Faculty Senate's Tenure Committee.
3. The Faculty Senate's Tenure Committee may ask the tenure applicant to supplement materials when appropriate, may request a meeting with the appropriate Academic Dean and take other reasonable steps to assure it has an adequate basis from which to make its recommendation.
4. The Faculty Senate's Tenure Committee shall vote on each case individually.
5. The Faculty Senate's Tenure Committee shall report its final determination, in writing, to each tenure applicant and to the Vice President for Academic Affairs.
6. The Vice President for Academic Affairs shall review the tenure application(s) and shall determine whether or not to endorse the candidate(s). The endorsement will then be shared with the President of the College.
7. The President of the College will present those candidates who qualify for consideration to the North Dakota State Board of Higher Education for Board action.
8. The President of the College shall inform each applicant of the Board's final decision.

Application Process:

1. The faculty member, who is eligible for consideration of tenure, will complete and present an application folder to the Faculty Senate's Tenure Committee by November 15 of the applicant's sixth year of tenure-track employment. Failure to prepare the application folder shall be interpreted as a disinterest in tenure.
2. Contents of the application folder:
 - a. A letter of application requesting tenure.
 - b. A minimum of four letters of recommendation which typically would include:
 1. The appropriate Academic Dean.
 2. Department Chair or Assistant Dean.
 3. A peer from within the applicant's discipline, and
 4. A peer from outside the applicant's discipline.
 - c. Transcripts indicating degrees conferred and any additional coursework.
 - d. Evaluation data which would include:
 1. Evaluation reports for the past five years, prepared by the Department Chair or Assistant Dean during the evaluation process.

2. Student evaluations, including a summary spreadsheet with yearly averages.
3. Any reaction from the applicant to these evaluations.
- e. Current Curriculum Vitae outlining:
 1. Campus involvement in non-teaching activities.
 2. Representation at meetings of learned or professional societies.
 3. Development of new courses and upgrading curriculum.
 4. Engaging in faculty development activities, on and off campus.
 5. Courses, workshops or seminars attended.
 6. Civic minded activity. i.e., with a non-profit, volunteering.
- f. Additional supporting documentation may be requested by the tenure committee but is not required in the tenure folder.

Criteria to be used by the Faculty Senate's Tenure Committee to Evaluate Tenure Applicants:

The tenure portfolio will be evaluated based on the following criteria:

80% Teaching effectiveness

Student evaluations
 Department Chair or Assistant Dean evaluations
 Academic Dean recommendation

10% Scholarship

Participation in new curriculum/course development
 Involvement in professional training in content area or teaching methods (i.e. certifications/licensing)

10% Service

Participation in campus/advisory/state committee assignments
 Membership in professional organizations
 Involvement in civic minded organizations/off campus activities

The following rubrics will be used to evaluate each of the required criteria.

Teaching Rubric

4	Average rating of 4-5 on the short form (8-10 on long form) of student evaluations for the last 5 years. Strong recommendations from Academic Dean, Department Chair or Assistant Dean, and peers.
3	Average ratings of 3-4 on short form (7-8 on long form) of student evaluations for the last 5 years with later years showing improvement. Supportive recommendations from peers, Academic Dean and Department Chair showing improvement in later years.

2	Average rating of 2.5-3 on short form (6-7 on long form) of student evaluations with little improvement in later years. Recommendations reflect suggestions for improvement and areas that are still being addressed.
1	Average student evaluation rating of below 2.5 on short form (below 6 on long form) for 5 years with no improvement in later years. Suggestions for improved performance were made however evaluations indicate performance has not improved.

Scholarship Rubric

4	Active participation in course/curriculum development. Actively pursues needed certifications, licensing, or advanced degrees. Has pursued professional development training opportunities specific to teaching area or teaching
3	Has implemented new teaching methods or delivery methods. Has pursued additional training in the teaching area.
2	Involved in at least one professional development conference in the last 5 years. Involved only in required professional development activities on/off campus.
1	Has taught courses required with no additional training or changes in curriculum.

Service Rubric

4	Taken leadership roles in professional organizations and on campus governance. Represents the institution in civic-minded organizations and other off campus activities.
3	Involved in professional organizations within teaching area. Some involvement in interests within the community and extracurricular campus activities.
2	Participation in required campus activities. Membership in one professional organization.
1	Does not demonstrate involvement in outside activities related to professional and community interests.

Minimum quantitative measurement of all criteria for evaluation is a total score of 3, with no individual area scoring lower than a 2.

An example of calculations are as follows:

An applicant that has a score of 4 in teaching (4 x .80) =	3.2
a score of 2 in scholarship (2 X .10) =	.2
a score of 2 in service (2 X .10) =	<u>.2</u>
Total:	3.6

This score of 3.6 would result in a recommendation of tenure.

Appeal Routes:

1. In the event that the Faculty Senate's Tenure Committee decides not to recommend tenure, the applicant may appeal the Committee's decision before the full Faculty Senate.
2. In the event that the Vice President for Academic Affairs determines that the tenure applicant will not receive an endorsement, the applicant may appeal this decision before the BSC President.
3. In the event that tenure has not been granted, and employment continues at Bismarck State College, the applicant will have the right to reapply for tenure after two additional years of teaching.

Other Considerations:

With written permission of the appropriate Academic Dean, an eligible faculty may postpone application for tenure for a specified time, not less than one year and not more than three years. Such permission will be added to the master personnel file. If after the specified time, the applicant fails to apply for tenure, he or she will be switched to an instructor position at the next contract period. If the particular applicant resigned his/her position, the position may be re-opened as a tenure track with permission from the appropriate Academic Dean and the Vice President for Academic Affairs.

Reference:

State Board of Higher Education Policy 605.1, Academic Freedom and Tenure; Academic Appointments.

History of This Policy:

First policy draft by the Faculty Senate during the 1986-87 academic year.

Revisions - Summer of 1987; September 3, 1987; September 4, 1987; March 7, 1988; August 15, 1991; November 7, 1991; August 7, 1997; May 1, 2004; amended March 1, 2007 in the Faculty Senate Minutes and approved March 29, 2007 by the President; October 20, 2009; December 29, 2010; revised by the Faculty Senate on November 3, 2011, reviewed by the

Operations Council on June 13, 2012 and amended/approved by the Executive Council on September 13, 2012; August 4, 2014; revised and approved by Faculty Senate March 3, 2016, reviewed by the Operations Council on September 14, 2016 and approved by the Executive Council on September 20, 2016; October 12, 2018; revised and approved by Faculty Senate on 18 Aug 2022, reviewed by the Campus Council on 31 Aug 2022, reviewed and approved at Vice President's meeting on 2 Sept 2022.

Faculty Policy –Faculty Grievances

SBHE Policy Manual, Section 612:

1. Each institution shall establish procedures to attempt mediation or resolution of faculty grievances.
2. “Grievance” means an allegation of a violation of a specific Board or institutional policy, procedure or practice pertaining to the employment relationship. This includes the terms of the grievant’s employment contract and this policy. Discretionary actions, such as salary adjustments and performance evaluations, may not be grieved, except to determine: (a) whether the discretionary action was made in accordance with relevant Board or institutional policies, practices, procedures or criteria; and (b) whether the action constitutes a clear abuse of discretion. Complaints involving any matters covered under SBHE Policy, Sections 605.3 or 605.4 are not grievances under this policy. Grievances cannot be filed against written Board and institutional policies, per se.
3. This policy applies only to faculty as defined in SBHE Policy, Section 605.1 as all members of the academic staff, excluding only coaches and administrators in their capacities as coaches or administrators.
4. The faculty governance structure at each institution shall by policy define the procedures for filing a grievance in accordance with SBHE Policy, Section 305.1 of these policies.

Informal / Formal Resolution:

Informal Resolution:

Informal resolution is entirely voluntary and the grievant may end informal resolution at any time and enter the formal process.

- 1) Faculty member who believes they have been mistreated should first attempt to resolve the matter by speaking with the person who is believed to have caused the problem at issue.
- 2) If the described matter or action grieved is not resolved at this level, then the grievant should contact the appropriate Department Chair and/or Dean to oversee additional resolution attempts. The informal process provides the grievant with a forum to address the matter or action grieved to ensure it is resolved to both parties’ satisfaction prior to the 30-day deadline for submitting a formal grievance.
- 3) In cases where the parties are not in agreement with the informal resolution, the matter or action grieved may then move to the formal resolution process.

Formal Resolution:

1. If the matter is not resolved to the faculty member's satisfaction informally, the faculty member may file a grievance by providing a written statement detailing the facts and circumstances constituting the grievance to the Chair of the Faculty Rights Committee. A faculty member who wants to file a grievance has 30 days from the date of the incident to file the grievance with the Chair of the Faculty Rights Committee. Grievances must fully identify the grievant and all other persons involved in the matter or action, and describe the matter or action grieved.
2. When the Chair of the Faculty Rights Committee has a conflict of interest, another member of the Faculty Rights Committee shall serve as the Chair for the purpose of the grievance.

Operational rules for filing and reviewing a faculty grievance:

Procedures for Filing:

1. Within 30 calendar days after the grievous incident, the faculty member shall present a written grievance to the Chair of the Faculty Rights Committee. The Chair shall also present a copy of the grievance and grievance policies, to the party(ies) against whom the grievance has been filed. This grievance shall be kept in strict confidence until the Faculty Rights Committee has determined its validity.
2. The written grievance shall be presented in the following format:
 - a. The alleged grievance is interpreted by the faculty member as it pertains to the State Board of Higher Education policy manual by stating the section and paragraph that the grievant feels was violated.
 - b. The date and circumstances under which the violation occurred.
 - c. The parties directly involved in the grievous incident.
 - d. A suggested remedy or solution of the situation by the faculty member.
3. Upon receipt of a grievance, the Chair of the Faculty Rights Committee shall invite a written interpretation and response within 5 working days from all parties named in the alleged grievance.

Procedures for Reviewing:

Upon receipt of a properly filed grievance, the Faculty Rights Committee shall:

1. Review the grievance in relationship to the policy manual to determine interpretation and validity of the claim.
2. Determine if further action is necessary or if the grievance procedure should be terminated.
3. If further action is deemed necessary, additional information and statements will be gathered from the parties involved.
 - a. The information shall be in the form of oral and/or written statements to determine if the parties involved agree on the problem as stated in the filed grievance.
 - b. Information shall be gathered from the parties separately and/or jointly to insure clear interpretation by the parties involved.
 - c. Following the review of all available information, the Faculty Rights Committee shall determine the validity of the grievance. If not valid, the procedure stops.
4. If the grievance is valid, the Faculty Rights Committee shall solicit additional suggestions in written form for solution to the problem from the parties involved;

- and after review, shall make recommendations to the parties to resolve the grievance.
5. If the suggested solutions(s) presented by the Faculty Rights Committee are not acceptable or cannot be agreed upon by the parties involved, the grievance will be forwarded to the President of the college.
 6. The President shall within 30 days of receipt of the recommendation, provide written notice to the grievant of the decision concerning the grievance after consideration of the Committee's recommendation. The President's decision shall be final.
 7. The Faculty Rights Committee shall attempt to complete the procedures within 30 calendar days after initial receipt of the grievance.

Reference:

State Board of Higher Education Policy Manual, Section 612-Faculty Grievances

History:

Approved by the Faculty Senate on April 7, 2011. Reviewed by the Operations Council on May 2, 2011 and approved by the Executive Council on May 12, 2011. Approved by the Faculty Senate on March 2, 2017, reviewed by the Operations Council on April 26, 2017 and approved by the Executive Council on May 3, 2017.

Faculty Policy - Faculty Participation in Termination of Tenured Faculty due to Financial Exigency

Statement of Regulation:

The President may terminate tenured faculty based upon a determination by the Board of Higher Education that a financial exigency exists which requires such action at the institution, or based upon a determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of academic units or program areas, or elimination of courses.

The process governing the termination of tenured faculty is set out in State Board of Higher Education policies and in this policy. Reference Section 605.3

Procedure:

The President of the College can recommend a termination of tenured faculty by following these procedures:

1. The President of the College, in consultation with the Vice President for Academic Affairs and the appropriate Academic Dean shall prepare a report specifying the justification for reducing the number of tenured faculty.
2. The President of the College shall submit this report to the President of the BSC Faculty Senate.
 - a. When identifying individuals whose appointments are to be terminated, significant consideration shall be given to length of service and tenure status in the retention of faculty members within the affected academic unit or program area.
 - b. Other factors such as curriculum requirements, professional achievements, breadth of competence and equal employment opportunity shall also be considered.
 - c. Other factors such as non-utilization of adjunct faculty, non-renewal of non-tenured faculty and overload for faculty shall also be considered.
3. The Faculty Senate shall promptly convene, and shall solicit faculty input and participation relative to the proposed termination of tenured faculty, and shall, within thirty days, provide a written report addressing these questions:
 - a. the extent to which there are grounds for termination of tenured appointments;
 - b. judgments determining where within the overall academic program termination of

- appointments may occur; and,
 - c. the procedure and criteria for identifying the individuals whose appointments are to be terminated.
4. The Faculty Senate's report shall be presented to the President of the College and to all tenured faculty members.
5. Upon receipt of the Faculty Senate's report, the President of the College shall make the final decision.
6. If it is determined that a tenured faculty member's appointment be terminated, the faculty member will be given written notice of the termination, including the reasons for the action, at least twelve months prior to the date of termination.
7. The released faculty may request a review by utilizing the faculty grievances procedures. The BSC Faculty Grievances Policy is located at <http://www.bismarckstate.edu/uploads/resources/2310/facultygrievance.pdf>.
8. Following the receipt of written notice, the released faculty will meet with Human Resources to determine the appropriate procedures for benefits available, including benefits under the COBRA Act.
9. BSC Human Resources will provide released faculty with information regarding the Employee Assistance Program.

New Employment Procedure:

1. Released faculty will be given "fair consideration" during the period of the terminal appointment, for employment in any vacant academic positions for which they are qualified. Qualifications for an academic position are determined by the department or program area and the appropriate Academic Dean.
2. Released faculty shall have access to employment information through the following:
 - a. Bismarck State College provides an up-to-date listing of job openings on its website <http://www.bismarckstate.edu/employment/>.
 - b. Bismarck State College Human Resources will maintain an e-mail distribution list of released faculty. This distribution list will receive the same job opening notifications as the BSC Employee distribution list.
 - c. Released faculty must provide Bismarck State College Human Resources with up-to-date e-mail addresses in order to remain on the distribution list.
 - d. Released faculty who do not wish to receive e-mail notifications of job openings must notify Bismarck State College Human Resources and request removal from the distribution list.
3. A position terminated under this policy shall not be filled by a replacement within two years, unless the released faculty member has been offered appointment with tenure and given at least 10 (ten) working days within which to accept or decline it. Reference SBHE Policy 605.3.6.b

Reference:

State Board of Higher Education Policy 605.3, Nonrenewal, Termination or Dismissal of

Faculty

History of This Policy:

First policy draft by the Faculty Senate during the 1988-89 academic year.

Revisions - January, 1989; February 2, 1989; February 3, 1989; October 21, 1991; August 7, 1997; January 12, 2004; October 20, 2010; December 29, 2010; revised by the Faculty Senate on March 1, 2012, reviewed by the Operations Council on November 14, 2012 and amended/approved by the Executive Council on November 30, 2012; October 14, 2016; February 12, 2019.

**NORTH DAKOTA
STATE BOARD OF HIGHER EDUCATION
Policy Manual**

Policy: 305.1 Institution President Authority and Responsibilities; Contract Terms
Effective: May 30, 2019

1. The SBHE delegates to the president of each institution full authority and responsibility to administer the affairs of the institution in accordance with SBHE policies, plans, budgets, and standards, including the management and expenditure of all institutional funds, within budgetary and other limitations imposed by law or by the SBHE.
2. The president is the chief executive officer of the institution and a member of the Chancellor's executive staff. The president reports and is responsible to the Chancellor for all matters concerning the institution and is an advisor to the Chancellor in matters of inter-institutional policy and administration.
3. Presidents have the authority to work with the Chancellor to develop, shape, and sustain the vision and mission of their institution within the context of the overall NDUS and to manage their institution on a day-to-day operational basis. Presidents shall consult with the Chancellor on decisions of mutual interest before those decisions are made or announced. Subject to SBHE policies, NDUS procedures, and SBHE and Chancellor directives, presidents:
 - a. Are responsible for carrying out approved policies, guidelines, and regulations governing the management of academic, business, and student affairs, delegating execution to administrative aids and heads of appropriate functional areas;
 - b. Have primary responsibility for the internal organization of the institution's administration, including academic, administrative, and student affairs, and the development and management of the physical plant and auxiliary services;
 - c. Ensure the assets of the institution are continually directed toward maintaining and sustaining the quality of teaching, research, and service that comprise the mission and goals of the institution;
 - d. Are responsible for consensus building; facilitation of quality scholarship; careful management of resources; recruitment and retention of outstanding faculty, staff, and students; problem solving; and promoting the intellectual, physical, and fiscal health of the institution
 - e. Provide the necessary leadership and management skills, including planning and policy development, for the institution to achieve its mission and goals;

- f. Ensure excellence in the institution's teaching, research, and service missions while maintaining the strength of the institution's academic and co-curricular programs and furthering the recruitment and retention of outstanding teachers, scholars, staff, and students;
 - g. Maintain a productive relationship with faculty, students, staff, and alumni;
 - h. Ensure a fair and appropriate distribution of resources to support and sustain the institution's academic, research, and service assets;
 - i. Develop and maintain effective and productive relationships with the institution's adjoining communities, business, and government agencies by building strong town-gown partnerships;
 - j. Articulate to the institution community the SBHE and Chancellor's goals and assigned mission of the institution;
 - k. Secure grants, gifts, and contracts from private, state, and federal sources that further the mission and goals of the institution;
 - l. Appoint academic and non-academic employees within the limitation of powers delegated by the SBHE and Chancellor;
 - m. Assume primary responsibility for fund-raising and alumni relations; and
 - n. Shall have an annual performance review by the Chancellor based upon a statement of goals for the year of evaluation which were previously formulated by the president and approved by the Chancellor.
4. Each president shall:
- a. Ensure effective and broad-based participation in the decision-making process from faculty, staff, students, and others in those areas in which their interests are affected;
 - b. Develop and approve or recommend to the Chancellor and the SBHE, in consultation with appropriate committees or members of the institution, such policies, plans, budgets, programs, and standards affecting the institution as deemed necessary, advisable or as required by the SBHE;
 - c. Make recommendations to the Chancellor concerning all requests for tenure;
 - d. Approve all personnel actions, except the award or change in tenure status, involving all faculty members and other institution employees;
 - e. Notify the Chancellor of any dismissal or termination of senior staff;
 - f. Review and evaluate all recommendations transmitted from the institution to the

Chancellor or the SBHE;

- g. Define the scope of authority of faculties, councils, committees and administrative officers of the institution;
- h. Establish a process for adoption and implementation of institution policies and procedures that includes:
 - i. The president's approval before a policy takes effect; and
 - ii. Authority for the president to adopt interim policies and procedures concerning matters for which legislative authority is delegated to an institution's legislative bodies. Adoption of an interim policy or procedure must include notice to the faculty senate or other legislative body before or when the policy or procedure takes effect. Not later than six months of its effective date, the president shall present the interim policy or procedure to the appropriate legislative body for review and its decision, subject to the president's approval or veto, concerning whether the policy or procedure should be adopted, revised, or discontinued;
- i. Comply with the rules of the athletic association(s) to which the institution belongs.
- j. Assume responsibility for the establishment of guidelines for student conduct which set forth prohibited conduct and provide for appropriate disciplinary procedures and sanctions for violation of institutional rules, consistent with standards of procedural fairness;
- k. Maintain positive relations and effective communication with the Chancellor and Chancellor's staff, the SBHE, and other North Dakota institutions of higher education and cooperate with other NDUS institutions to improve academic offerings, expand access to higher education, promote faculty development, improve support services, reduce unnecessary duplication, and enhance efficiency;
- l. Inform and advise the Chancellor and SBHE regarding significant issues at the institution;
- m. Maintain positive relations with the public by:
 - i. Developing sound relationships between the institution and the community and region in which it is located and the public it serves;
 - ii. Establishing and administering a development program with alumni and other institutional supporters;
 - iii. Interpreting the institution and its mission to the public; and
 - iv. Developing positive relationships with legislators and with other public policy makers in coordination with the Chancellor;
- n. Be accountable for all funds, equipment, property, including the security of information systems and data, as well as and other facilities assigned or provided to the institution.

- i. Prepare an annual report to the Chancellor that details efforts that the institution has undertaken to comply with information technology policies found in major section SBHE Policy 1200s as well as related procedures and standards;
 - o. Consistently support and adhere to, and require responsible institution officers and employees to support and adhere to, SBHE beliefs and core values set forth in SBHE Policy 100.5, SBHE policies and NDUS procedures, and SBHE and Chancellor directives and guidelines; and
 - p. Exercise such other authority and perform such other responsibilities as may be assigned by the Chancellor or the SBHE.
- 5. A president may delegate duties and responsibilities as necessary or appropriate.
- 6. In exercising this authority and carrying out these responsibilities, a president shall strive to conform to and advocate the SBHE beliefs and core values.
- 6.7. The president of an institution under the control of the state board of higher education may adopt policies, procedures, and directives for the institution, with input but no authoritative control from faculty and others through shared governance. The commissioner of higher education and the state board of higher education may overturn or amend the president's policies, procedures, and directives. (NDCC 15-10-73).
- 7.8. Presidents are hired at the pleasure of the SBHE. Each president shall have a written contract. The Chancellor shall annually evaluate a president's performance and report on the evaluation to the SBHE.
 - a. Presidents shall have an initial appointment of three years and may receive subsequent appointments between one and three years in duration.
 - b. If the SBHE terminates a president's appointment without cause, the president will receive an amount equal to twelve months' salary and benefits based on the president's salary and benefits at the time of the termination. Alternatively, a president of a four-year institution who has a tenured faculty appointment may exercise retreat rights instead of receiving an amount equal to twelve months' salary and benefits. Retreat rights allow the president to revert to a tenured faculty position in the department in which tenure was previously awarded.
- 8. In consultation with the SBHE, the Chancellor may initiate dismissal of a president for just cause during the contract term and shall provide a written notice of intent to do so and an opportunity for a hearing conducted by the Chancellor. The Chancellor shall provide not less than five days for a response by the president following delivery of notice of intent, before a dismissal decision. The Chancellor may suspend a president with pay and benefits or reassign a president to other duties pending a decision. The Chancellor may limit the hearing to Chancellor review of the president's written response to the notice and opportunity to submit additional information or may include an opportunity for an informal meeting with the Chancellor. Following the hearing conducted by the Chancellor, the Chancellor may

Added to reflect changes to
ND Century Code in HB 1003 (May 2023).

recommend dismissal or other appropriate action by the SBHE. Following a dismissal decision or imposition of other discipline by the SBHE, a president may, within ten days of notice of the SBHE decision, file with the SBHE secretary or legal counsel a written appeal and request for evidentiary hearing, which must be accompanied by a specification of reasons for the request. The Board shall then conduct or arrange for a hearing. The SBHE may appoint a hearing officer or administrative law judge to conduct the hearing and make findings of fact, conclusions of law, and a recommendation to the SBHE, which shall then make a final decision based on the hearing record.

9. A tenured faculty member at a NDUS institution who is appointed president shall retain that status during the term as president.

Reference(s): SBHE Policy 100.5; NDUS Procedure 301.

**NORTH DAKOTA
STATE BOARD OF HIGHER EDUCATION
Policy Manual**

Policy: 605.1 Academic Freedom and Tenure; Academic Appointments
Effective: March 31, 2022

1. An institution 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 SBHE to protect academic freedom.
2. 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 SBHE Policy 401.1, relating to academic freedom, and the 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments, adopted by the American Association of University Professors and the Association of American Colleges. These policies apply to all institution faculty unless otherwise indicated.
3. Tenure is awarded by the SBHE 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 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 SBHE. Tenure recommendations submitted to the SBHE 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 SBHE. 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.
4. For purposes of SBHE Policies 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. "SBHE" means the North Dakota state board of higher education.
 - c. "Faculty" means all members of the academic staff, excluding 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.
5. Because of the variety of scope and organizational structure of the institutions under the control of the SBHE, the faculty governance structure at each institution shall recommend procedural regulations to the president to implement SBHE Policies 605.1, 605.2, 605.3 and 605.4, in accordance with SBHE Policy 305.1:
- a. Institution procedural regulations must include:
- i. Procedures for continuing evaluation of ~~both~~ probationary ~~tenure-track~~ faculty; and
 - ii. Procedure for the continued evaluation of tenured faculty members; and
 - iii. Procedures for continued evaluation of probationary nontenure-track faculty.
 - ~~i-iv.~~ Procedures for continued evaluation of nontenure-track faculty and
 - v. Criteria and procedures by which faculty members are evaluated and recommended for tenure.
 - ~~ii-vi.~~ Criteria and procedures by which tenured faculty member are evaluated post-tenure for continuance of their tenured appointments.
- 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, service, and other areas of emphasis. Scholarship in teaching may include the use of technology or other innovative teaching methods. Service may include technology transfer and economic development. Institution regulations shall include guidelines for determining the proper weight distribution 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 distribution of the criteria used for evaluating performance. The contract provisions shall be reviewed and, when appropriate, revised as a part of the faculty member's periodic evaluations.

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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, including maternity or parental leave and appropriate accommodations for faculty members with disabilities. Institution procedures may define additional exceptional circumstances including family emergencies or extended illness.

d. An institution may decline to renew the contract of a probationary faculty member without cause at any time during the probationary period, subject to procedural requirements in SBHE Policies 605.1, 605.2, 605.3, and 605.4.

6. 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 before 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, before authorization of the leave.

b. Tenured appointments recognize a right, subject to SBHE 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 SBHE Policy 605.1(5).

i. The following persons are not eligible for tenured appointment:

1. Faculty members with a part-time or temporary appointment. However, faculty members who have been awarded part-time tenure as established by previous SBHE policy and those who accept a part-time

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Edits differentiates among the various faculty rankings to allow the institution to tailor policies to specific rankings.

appointment after being awarded tenure in a full-time position shall continue to have such tenure recognized.

2. An institution's president, except under subdivision 6(b)(ii).
 - 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 5(c) of this policy, provided that the person, at the time tenure is granted, has:
 1. held a tenured appointment at another institution, or,
 2. been a faculty member at the institution for at least one prior academic year.
 - iii. The SBHE may award tenure to an institution's current chief executive officer if they have held a tenured appointment at another institution. If a chief executive officer granted tenure under this subdivision resigns their position or is terminated, that individual may request appointment as a tenured faculty member. If such a request is received, the SBHE shall determine whether to offer that individual a tenured faculty position at their former institution. The compensation for such a tenured faculty position shall be commensurate with similar positions in the department, and such compensation shall be paid from the institution's general funds, rather than a departmental budget.
 - iv. The SBHE may award tenure to any individual appointed to the faculty who has not met the eligibility requirements of subdivisions 5(b) and 5(c) of this policy in exceptional circumstances, defined by the institution's procedures, following review and recommendation made pursuant to the procedures established at an institution. The individual shall possess 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 SBHE 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 distribution for evaluation criteria. 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.

7. Institutions shall establish various post-tenure review plans appropriate to the diverse missions of individual institutions, designed to encourage emphasis on research, scholarship in teaching, service, and other areas of emphasis. Scholarship in teaching may include the use of technology or other innovative teaching methods. Service may include technology transfer and economic development. Institution regulations shall include guidelines for determining the proper weight distribution 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.

- a. The criteria for post-tenure review 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.

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7.8. 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 subdivision 6(c)(xi), shall generally not exceed one year. A multiple-year contract is 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, institutions shall issue contracts no later than June thirtieth each year, provide notice of renewal terms and an agreement or appointment letter to be signed by both parties. Absent good cause or agreement extending or establishing a different deadline, faculty shall sign and return a contract or other document indicating acceptance of contract terms not later than July twentieth. Any contract issued with a deadline prior to July twentieth must provide faculty a minimum of two weeks from the date in which the contract was issued for review. Institutions shall establish procedures providing that failure to return a signed contract or other document indicating acceptance of contract terms the date stipulated on the contract constitutes a resignation resulting in termination of employment, except for good cause shown by the faculty member or unless the institution has granted an extension. All nine- or ten-month contracts must be returned no later than July twentieth. Before 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.

8. 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 Amended of SBHE 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.

References: SBHE Policies 305.1, 401.1, 605.1 through 605.4; NDUS Procedure 605.1

**NORTH DAKOTA
STATE BOARD OF HIGHER EDUCATION
Policy Manual**

Policy: 605.2 Standing Committee on Faculty Rights
Effective: February 23, 2022

1. Each institution shall have a standing committee on faculty rights consisting of three, five, or seven tenured faculty members elected for staggered terms by the faculty governance structure. The committee shall elect its own presiding officer annually and shall hold formal hearings in accordance with the procedures described in SBHE Policy 605.4 on all matters referred to it under these policies. The committee shall judge any allegation of bias or conflict of interest. If an individual member is judged by the committee to be biased or to have a conflict of interest in a specific case, the committee shall replace the member with a substitute member for that case.
2. Each institution shall adopt procedures concerning mediation implementing SBHE Policy 605.5. ~~Institutions shall pay all mediation costs.~~
3. Proceedings before a standing committee on faculty rights shall be ~~closed to the public; unless the faculty member requests that the proceedings be open, in which case the proceedings shall be open open to the public.~~

References: SBHE Policies 605.4, 605.5

This policy reflects additional procedures specific to faculty that are not available to all employees.

All faculty mediation procedures are inconsistent with non-faculty mediation procedures thus treating employee groups unequally. Budgeting for such expenses may be more difficult when employees are treated differently.

NORTH DAKOTA
STATE BOARD OF HIGHER EDUCATION
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Policy: 605.3 Nonrenewal, Termination or Dismissal of Faculty
Effective: April 29, 2021

1. A probationary appointment may be terminated, without cause, with notice to the faculty member that the appointment will not be renewed.

~~a. Notice shall be given at least 90 days prior to termination for probationary faculty.~~
~~a.b. NDUS institutions may create termination notification policies that extend the timeline beyond the 90 day minimum.;~~

- ~~i. At least 90 days prior to termination during the first year of probationary employment at the institution.~~
- ~~ii. At least 180 days prior to termination during the second year of probationary employment at the institution.~~
- ~~iii. At least one year prior to termination after two or more years of probationary employment at the institution.~~

~~b.c. A department chair, dean or other person authorized under institution policies to give such notice shall provide written notice of the decision, including a reference to the policy section pursuant to which the action is taken. The faculty member may within ten calendar days after receipt of the notice request a reconsideration by the deciding body or individual. The faculty member may incorporate a request for mediation in the request for reconsideration. The institution shall respond in writing to the faculty member within ten calendar days after receipt of the request (see policy 605.2).~~

2. An institution may terminate a probationary appointment effective at the end of any contract term, with no less than 90-day notice of nonrenewal based upon a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses. The notice of nonrenewal shall include a reference to the policy section pursuant to which the action is taken. When a probationary appointment is terminated pursuant to this subsection, the provisions of subsection 1 do not apply.
3. A special appointment terminates at the end of the term stated on the contract and may be renewed at the discretion of the institution.
4. The following individuals may request review of the below decisions and a hearing by the Standing Committee on Faculty Rights:

a. A faculty member on a probationary appointment which is not renewed; or

~~b. A faculty member whose special appointment that is terminated.~~

The request for review and a hearing must be made within twenty calendar days after receipt of notice of the proposed action or, if the faculty member requests reconsideration or the parties agree to mediation pursuant to this Policy, within twenty calendar days of receipt of the results of the reconsideration or conclusion of mediation. Such request shall be filed in writing with the deciding body or individual and the chair or the senior member of the Standing Committee on Faculty Rights. The request for review may be based on allegations that the institution failed to comply with applicable policies or gave the decision inadequate consideration, or that the nonrenewal decision violated (a) academic freedom, (b) rights guaranteed by the United States Constitution, or (c) terms of the employment contract or other written agreement. The allegation must be supported by a specification of the reasons why the decision violated these rights and a summary of the evidence supporting the allegation(s). The institution shall, within twenty calendar days of receipt of the written notice and specifications, provide a written response to the faculty member and the chair of the Standing Committee on Faculty Rights.

not needed. By definition, special appoint have a known termination date. The intent was not to negotiate ongoing special appointments.

5. A faculty member may terminate an appointment contract by giving notice in writing 90 days prior to the start or end of said contract to ensure minimal effects on students and institutional operations. Faculty contracts may include financial penalties for contract termination of less than 90 days. Faculty are encouraged to give notice well in advance of the date of termination of employment at the end of a contract term. For the purpose of determining eligibility for participation in the state uniform group insurance program during summer months only, the effective date of termination of a faculty member with a nine- or ten-month contract covering the regular academic year (generally, August to May) who gives notice of resignation prior to the end of the contract term but completes the contract term, or who completes the contract term and then gives notice of resignation before the beginning of the next regular contract term or does not return to work for the next regular term, is July 2. This provision does not apply if a faculty member's spouse is employed by the state and eligible for participation in the state uniform group insurance program during the summer months. Also, this provision does not apply if employment is terminated and a faculty member does not complete the contract term or if a faculty member provides notice of other health plan coverage during the summer months. If a faculty member with a nine- or ten-month contract also has a contract for the summer term and resigns but completes the term, the effective date of termination is July 2 or the ending date of the summer term contract, whichever is later.
6. A tenured faculty member terminated pursuant to Board declared financial exigency shall be given written notice of termination at least 90 days prior to the date of termination. A tenured faculty member terminated pursuant to loss of legislative appropriations shall be given written notice of termination at least 12 months prior to the date of termination. A tenured faculty member terminated pursuant to loss of institutional or program enrollment, consolidation of academic units or program areas, or elimination of courses shall be given written notice of termination at least 12 months prior to the date of termination. In such cases as described in this subsection, significant consideration shall be given to length of service and tenure status in the retention of faculty members within the affected academic unit or

program area, curriculum requirements, professional achievements, breadth of competence, and equal employment opportunity. Each institution shall establish procedures for implementing this policy.

- a. A tenured faculty member given notice of termination under this section may request that the institution circulate his or her vita to other academic units or program areas within the institutions of the NDUS system. In addition, the institutions shall ensure that fair consideration is given to the faculty member, during the period of the terminal appointment, for vacant academic positions in the employing institutions for which the faculty member is qualified. The faculty within any academic unit or program area shall ~~have the major responsibility~~ provide input in determining qualifications for appointment therein. If a tenured faculty member accepts an appointment in a different academic unit or program area, the faculty member shall retain his or her tenure status, subject to approval of the Board.
 - b. A position terminated under this section shall not be filled by a replacement within ~~two-one~~ years, unless the released faculty member has been offered ~~the~~ appointment with tenure and ~~a reasonable given 30 days time within which~~ to accept or decline it.
 - c. The provisions of section 605.4 do not apply when a tenured faculty member is terminated under this subsection. The faculty member may, however, within twenty calendar days of receipt of notice of termination, file a request for review under processes established at the institution for that purpose.
7. In accordance with principles of shared governance, the faculty governance structure at each institution shall ~~adopt-recommend~~ procedures by which faculty participation is solicited before notice of termination is given any tenured faculty member pursuant to section 6. Faculty ~~participation should~~ participation shall be solicited provide input concerning:
- a. The extent to which there are grounds for termination of tenured appointments;
 - b. Judgments determining where within the overall academic program termination of appointments may occur; and
 - c. The procedure and criteria for identifying the individuals whose appointments are to be terminated.
8. A faculty member may be dismissed at any time for adequate cause. Adequate cause means: (a) demonstrated incompetence or dishonesty in teaching, research, or other professional activity related to institutional responsibilities, (b) continued or repeated unsatisfactory performance evaluations and failure to respond in a satisfactory manner to a recommended plan for improvement; (c) substantial and manifest neglect of duty, (d) conduct which substantially impairs the individual's fulfillment of his or her institutional responsibilities or the institutional responsibilities of others, (e) a physical or mental inability to perform assigned duties, provided that such action is consistent with laws prohibiting discrimination

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based upon disability, ~~(f) moral turpitude~~, or ~~(g)~~ significant or continued violations of Board policy or institutional policy, provided that for violations of institutional policy the institution must notify the faculty member ~~in advance~~ in writing that violation would constitute grounds for dismissal, or the institutional policy must provide specifically for dismissal as a sanction.

- a. An authorized institution officer shall give written notice of intent to dismiss and specify the reasons for the action. The officer may, in the officer's discretion, also schedule a meeting with the faculty member to discuss the action. The notice shall state that the officer will forward to the institution president a recommendation to dismiss unless the faculty member, within twenty calendar days of receipt of the notice, requests a hearing before the Standing Committee on Faculty Rights. If the faculty member does not make a timely request for a hearing, the president, upon receipt of a recommendation to dismiss, shall make a decision and provide written notice and reasons for the action to the faculty member within ~~ten~~ twenty business days of receipt of the recommendation.
 - b. A faculty member may, within twenty calendar days of receipt of notice of intent to forward to the institution president a recommendation to dismiss, request a formal hearing before the Standing Committee on Faculty Rights, pursuant to section 605.4.
 - c. Pending a final decision on dismissal for adequate cause, the faculty member may be suspended by the institution's president or assigned to other duties in lieu of suspension, if it is reasonably determined that it is in the best interests of the faculty member or the institution to do so. The decision to suspend a faculty member or to assign a faculty member to other duties under this paragraph shall not be subject to grievance under Policy 612, except to the extent that the assigned duties are not within the scope of a faculty position. The faculty member's salary and fringe benefits shall continue during a period of suspension. During the period of suspension, faculty are ineligible for annual salary increases. Salary and benefits shall be terminated upon a final decision by the institution president to dismiss the faculty member following conclusion of proceedings at the institution.
 - d. This section shall not apply to conduct by a faculty member which is alleged to constitute sexual harassment under Title IX of the Education Amendments of 1972, which is governed by Policy 520.
9. If the administration determines that the conduct of a faculty member, although not constituting ground for termination or dismissal, provides reasonable cause for imposition of a sanction, the administration shall inform the faculty member in writing of the sanction and the reasons for the sanction. A sanction means demotion, suspension (but not including suspension pending a dismissal or termination decision), salary reduction or loss of salary, or restriction or loss of privileges imposed as a formal disciplinary measure. A sanction does not include implementation of an improvement plan or performance action plan or negative comments in a performance review, letter of reprimand or other document placed in a personnel file; rights to respond to a performance review or to a letter of reprimand or other document placed in a personnel file are set forth in N.D.C.C. § 54-06-21 and institution

grievance procedures adopted under SBHE Policy 612. If the sanction is imposed following a hearing by the Standing Committee on Faculty Rights and based on the hearing record, there is no further review. If the sanction is imposed without a hearing, the faculty member may request review upon filing with the institution's president and chair or senior member of the Standing Committee on Faculty Rights a request for review and specifications of reasons within twenty calendar days of receipt of notice of imposition of a sanction. The institution shall have twenty calendar days following receipt of the request for review to file a response. The Standing Committee on Faculty Rights shall review the matter according to procedures established at the institution for that purpose and issue a written report within twenty calendar days of receipt of the institution's response and may make a recommendation to resolve the dispute, stating its reasons. The institution shall make its final decision upon reconsideration and provide written notice of that decision to the faculty member within ~~ten~~ twenty days of receipt of the report and recommendation of the Standing Committee on Faculty Rights. Upon filing of a request for review pursuant to this subsection, imposition of the sanction shall be suspended pending a final decision of the institution's president following conclusion of those proceedings.

References: N.D.C.C. § 54-06-21, SBHE Policies 520, 605.4, 612

NORTH DAKOTA
STATE BOARD OF HIGHER EDUCATION
Policy Manual

Policy: 605.4 Hearings and Appeals
Effective: April 29, 2021

This policy reflects additional procedures specific to faculty that are not available to all employees.

1. A faculty member may request a hearing with the standing committee on faculty in accordance with SBHE Policy 605.3. The written notice shall include the specific reasons or grounds upon which the request for a hearing is based. The institution shall have ~~ten~~ 20 business days from receipt by its president of the notice and specifications to file a response with the committee chair or senior member of the committee and the faculty member.
2. ~~Financial responsibility for hearing costs shall be negotiate among the parties prior to the commencement of the action.~~
3. ~~The committee with the presidents shall shall appoint a mutually acceptable, at the expense of the institution according to institution procedures, a hearing officer with authority to conduct pre-hearing meetings, supervise exchange or collection of information, advise the committee, or preside over the hearing. The faculty member, the institution and their representatives shall comply with all reasonable directives and requests of the hearing officer appointed by the committee. The institution shall may provide necessary clerical support for the committee and, upon request, for the hearing officer.~~
- 3.4. The ~~committee or the~~ hearing officer shall hold a pre-hearing meeting or meetings to simplify the issues, effect stipulations of facts, provide for or assist with the exchange of documentary or other information, or achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious. The faculty member, the institution and their representatives shall participate in pre-hearing meetings upon request and comply with the directives of the ~~committee or the~~ hearing officer. Discovery shall be informal and formal depositions or interrogatories for the purposes of discovery are not permitted, except by agreement of the parties. Failure to participate in discovery or at the pre-hearing conference, or to comply with the directives of the ~~committee hearing officer~~ by either the faculty member or the institution may be considered by ~~the committee hearing officer~~ when it issues its a recommendation.
- 4.5. The ~~committee or the~~ hearing officer shall serve written notice of hearing on the faculty member and the president or their representatives not less than twenty calendar days before the hearing.
- 5.6. The faculty member and the institution may stipulate to a resolution based on the written statements; in which case the ~~committee hearing officer~~ shall make its recommendation on that basis.
- 6.7. During the proceedings, the institution and the faculty member are entitled to have an administrative or academic advisor and counsel of their choice and at their own expense. The

committee may request that it be provided with counsel that does not represent the institution or employee to advise it throughout the process; such counsel may include counsel who advise other institutions or the NDUS office. Proceedings shall be closed to the public unless the faculty member requests that the proceedings be open. N.D.C.C. ch. 44-04's open meetings requirements do not apply to the committee's proceedings.

~~7.8.~~ A verbatim transcript of the hearing or hearings shall be made ~~at the institution's expense,~~ and shall be accessible to both parties. An electronic recording of the hearing or hearings is sufficient to meet the requirements of this paragraph. A party shall be provided a copy of the record, or part of the record, upon request ~~at the institution's expense.~~

~~8.9.~~ The findings of fact, conclusions, and recommendations shall be based solely on the evidence ~~received by the committee.~~ When brought under SBHE Policy 605.3(4), the faculty member has the burden of persuasion to prove, by ~~clear and convincing evidence a preponderance of the~~ evidence, that the action violated the faculty member's rights; when pursuant to SBHE Policy 605.3(8) or (9), the burden of proof shall rest with the institution and be satisfied only by clear and convincing evidence that grounds for the institution's actions exist when the record is considered as a whole. ~~The committee's findings of fact, conclusions, and recommendations shall be limited to the appeal before the committee.~~ If the committee has recommendations for policy, procedure or other institutional changes ~~related to the appeal, those recommendations they~~ may be raised through the ordinary process for such changes N.D.C.C. 15-10-73.

~~9.10.~~ The ~~committee hearing officer~~ may admit any evidence which is of probative value in determining the issues or if doing so is in the interests of justice. Every reasonable effort shall be made to obtain the most reliable evidence available. The ~~committee hearing officer~~ shall grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

~~10.11.~~ The faculty member shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The ~~faculty and~~ institution shall cooperate with the ~~committee hearing officer~~ in securing witnesses and making available documentary and other evidence. The faculty member and the institution shall have the right to confront and cross-examine all witnesses. Testimony may be taken by deposition, including deposition by telephone, or witnesses may testify by telephone, facsimile, video or other electronic means upon agreement of the parties or, absent an agreement, upon request of a party and determination by the ~~committee or~~ hearing officer that such use does not substantially prejudice the rights of any party. Affidavits may be received into evidence upon stipulation of the parties.

~~11.12.~~ The ~~committee hearing officer~~ shall provide written findings of fact, conclusions, and recommendations, with supporting reasons, to the institution's president and the faculty member or the faculty member's representative. If the institution's action was a notice of dismissal and if the committee concludes that adequate cause for dismissal has been established, but that a lesser penalty would be more appropriate, it may so recommend with supporting reasons. The president shall decide and provide written notice of the decision,

including findings of fact and reasons or conclusions based on the hearing record, to the committee and the faculty member within twenty calendar days of receiving the report, unless the president determines that more time is required due to unforeseen circumstances, in which case the president may extend the period by ~~40-20~~ calendar days on notice to the parties and committee. The faculty member or committee may, within ten calendar days of the decision, submit a written response to the decision, to which the president may, but is not required to, reply.

~~12.13.~~ The decision of the president is final.

~~13.14.~~ This Policy shall not apply to appeals from a determination of responsibility regarding a formal complaint of sexual harassment under Title IX of the Education Amendments of 1972, which is governed by Policy 520.

References: N.D.C.C. ch. 44-04, SBHE Policies 520, 605.3

**NORTH DAKOTA
STATE BOARD OF HIGHER EDUCATION
Policy Manual**

Policy: 608.2 NDUS Employees – Non-renewal and Dismissals
Effective: July 23, 2020

This policy affords faculty actions, protections, and procedures that are not available to all employees.

1. This policy applies to all employees excluded from the broadbanding system who are not members of the academic staff, and, with respect to their positions as administrators or other non-academic positions, to employees with appointments to the academic staff. This policy does not apply to:
 - a. Chancellor and institution presidents;
 - b. Coaches;
 - c. Faculty – Employees with academic appointments are governed by SBHE Policy 605.1, 605.2, 605.3 and 605.4; or
 - d. Student residence hall assistants, work-study students and other students employed on a part-time basis for a limited term. The terms and conditions of employment for student resident hall assistants shall be stated in a written contract.
2. An employee may be dismissed, without cause, pursuant to written notice of termination in accordance with the following schedule:
 - a. At least three months, if written notice is given during the first year of service;
 - b. At least six months, if written notice is given during the second year of service or thereafter;
3. For the purposes of SBHE Policy 608.2(2), “service” means employment at the same institution or agency.
4. An employee may be dismissed based upon financial exigency as determined by the SBHE, loss of appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas or elimination of courses, in which cases the notice requirements of the preceding section shall not apply. If a dismissal is implemented pursuant to this paragraph, the employee shall be given no less than ninety days’ notice.
5. An employee may be dismissed for just cause as defined in the NDUS HR Policy Manual. Notice of intent to dismiss for cause, stating the reasons for the proposed action, shall be given by a department head or other designated official unless the employee is an institution officer who reports directly to the institution's chief executive, in which case the chief executive shall give notice, or a NDUS employee

who reports to the Chancellor, in which case the Chancellor shall give notice. The notice shall be given not less than five calendar days before the date of dismissal and the employee has the right, within that time, to respond in writing and request a pre-termination review. Following notice of intent to dismiss and any employee requested pre-termination review, the department head or other designated individual, if the notice of intent to dismiss was not given by the chief executive or Chancellor, shall forward a recommendation to the institution's chief executive or Chancellor. The chief executive or Chancellor shall make a final decision and give written notice of that decision.

6. An employee who is dismissed for just cause pursuant to this policy may, within twenty days of dismissal, appeal the decision by filing a notice of appeal, accompanied by a specification of the reasons or grounds upon which the appeal is based, with the institution's chief executive or the Chancellor. The chief executive or Chancellor shall appoint a hearing officer to conduct an evidentiary hearing and submit recommended findings, conclusions and a recommended decision. The hearing officer shall conduct the hearing according to appeal procedures governing hearings conducted by a staff personnel board that are set forth in section 27 of the NDUS HR Policy Manual. The chief executive or Chancellor shall make a final decision and provide written notice of that decision to the hearing officer and the employee within twenty calendar days of receiving the hearing officer's recommendation.
7. This Policy shall not apply to conduct by an NDUS employee which is alleged to constitute sexual harassment under Title IX of the Education Amendments of 1972, which is governed by Policy 520.
8. An employee who voluntarily or involuntarily leaves a non-academic position under this policy but holds a tenured faculty appointment may, at the discretion of the president, return to that appointment with all the rights and responsibilities of tenured faculty in the home department, ~~unless a proceeding results in the discharge or demotion of the employee from the faculty position.~~ Should the the president approve employee decide the employee to return to the faculty appointment, salary amounts will be adjusted from a twelve-month salary for the non-academic duties to a nine-month to twelve-month faculty salary that is commensurate with the salaries of comparable tenured faculty members, unless a faculty salary was previously set in the contract when the faculty member assumed the non-academic position. Setting the return-to-faculty salary when an individual with a tenured faculty appointment assumes a non-academic position is the preferred option.

References: SBHE Policies 605.1, 605.2, 605.3, and 605.4

**NORTH DAKOTA UNIVERSITY SYSTEM
Procedure Manual**

Procedure: 605.1 Tenure Recommendation Format
Effective: September 11, 2019

CANDIDATE RECOMMENDATION

Institution: _____

Tenure Unit: _____

Tenure Candidate Name: _____

Current Rank: _____

Number of years of tenure credit earned at current institution (including current year): _____

Number of years of tenure credit awarded for previous professional experience: _____

Academic Credentials and Institution: _____

Policy 605.1 – Provide substantiation for the tenure recommendation and indicate the paragraph being referenced. Use additional sheets if necessary. (Check one)

___ 3. “The criteria for tenure evaluation shall include teaching, contribution to a discipline or profession through scholarships, research or professional activities, and service to the institution and society. . . Eligibility for tenure requires a probationary period of six years of continuous academic service to the institution.” Use of paragraph 3 requires only a brief substantiation.

___ 4. “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 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.” Use of paragraph 4 requires a reference to specific institutional policy requirements and a description as to how the candidate satisfies the institution criteria.

If the ~~recommendation of the institution's chief executive differs from the~~ consensus of the campus review committee's recommendation differs from that of the, the chief executive, the campus review committee is to explain the basis for her/his/their recommendation to the chief executive.

The decision of the chief executive is final. N.D.C.C. 15-10-73.



Tenure

What is the purpose of tenure of your institution?

DCB abides by SBHE Policy 605.1 Academic Freedom and Tenure; Academic Appointments. As stated in the policy, the purpose of tenure is to assure academic freedom. Tenured appointments recognize a right, subject to conditions in tenure guidelines, to continuous academic year employment in a program area as defined by DCB and stated on the faculty contract.

How does tenure support the mission and vision of your institution?

Mission – Dakota College at Bottineau provides a quality education in a caring environment.

Vision – Dakota College at Bottineau adapts to the changing educational landscape to empower students and impact communities.

Tenured faculty demonstrate excellence within the classroom, a desire and action to maintain education and training, and exceptional service to the institution and surrounding communities. Students are at the forefront of DCB's mission and values. Providing a quality education is vital to empowering students with the tools they need to be successful. Community commitment is an important aspect of the institution's vision. Tenured faculty lead by example with their dedication through service to the community.

Post-tenure

Does your institution have a post-tenure review/evaluation process that is distinct from the annual review process?

No

Policy/Procedure/Suggestions

What suggestions do you have to improve the tenure/post-tenure process at your institution?

No suggestions.

What suggested edits do you recommend to SBHE Policy and NDUS Procedure related to tenure?

No suggestions.

CHAPTER I ~ FACULTY PROCEDURES – PERSONNEL INFORMATION

1. Basic Obligations

Faculty appointments carry those responsibilities and privileges traditionally identified with academic positions. While a minimum of specific restrictions is imposed on the activities of faculty members, employees are under obligation to render to DCB the most effective service of which they are capable. Moreover, they are expected to increase their depth and range of competency with increased length of service. All members of the faculty have a continuous responsibility to develop their professional proficiency. The essence of faculty obligations is captured in the institution's core values. Following, and in the section that follows, are examples of how these values are placed into practice:

- a.** Sharing student progress evaluations with students in a timely manner.
- b.** Continuously updating course content.
- c.** Maintaining updated course syllabi and using them at the beginning of each semester to inform students of course expectations. Each faculty is responsible for submitting to the Associate Dean for Academic Affairs office an updated course syllabi each semester the course is taught.
- d.** Assess student learning.
- e.** Conducting classes and exams as scheduled, or making the necessary arrangements when exceptions are required. Final exams are to be administered in accordance with the published final exam schedule.
- f.** Submitting midterm and final grade reports by the published deadline.
- g.** Carrying a fair share of the workload required to successfully serve the DCB community.
- h.** Contributing to making the NDUS a vital link to a brighter future.

2. Responsibilities and Workload Guidelines

An underlying purpose for a standard workload guideline is to provide a framework or guideline within which equity in load can be measured. However, it is understood that no guidelines can cover every possible variation in the work faculty perform daily. Therefore, guidelines must be flexible so DCB may provide the best learning environment possible. This document does not attempt to delineate every aspect of faculty workload, but rather provides a depiction of responsibilities within broad parameters.



2.1 Expectations

- a.** Develop and deliver the curricula required to meet the needs of students and the mission of DCB.
- b.** Assess student learning outcomes as a basis for improving learning and maintaining the academic integrity of programs.
- c.** Evaluate instructional programs as required by SBHE policy.
- d.** Attend committee meetings and participate in committee work as assigned and take an active role in other bodies concerned with day-to-day operations.
- e.** Maintain proficiency in the appropriate discipline.
- f.** Establish and maintain an appropriate presence in the community.

2.2 Considerations

- a.** The first priority for scheduling classes is to meet the needs of students and the college and to make the best use of limited resources. Meeting these needs may necessitate providing instruction in the evening, through distance education, or through other non-traditional methods of delivery.
- b.** DCB has the responsibility to ascribe to faculty the development and instruction of distance classes that meet the needs of DCB and its constituents.
- c.** The institution has the responsibility to alter or amend the number of sections of lecture classes or labs based on the needs of the college. Sections of a lecture class or lab that enroll few students will be considered for cancellation for faculty resources to be used more productively. Typically, these will be multiple sections of the same lecture class or lab.

2.3 Workload by Credit Hour

- a.** Lecture hours are on a 1:1 ratio – 45-50 minutes of lecture per week for approximately 15 weeks is equal to one credit.
- b.** Most labs are on a 1:2 ratio -- two 45-50 minutes periods of lab per week for approximately 15 weeks are equal to one credit. (Not all lab class is lecture; a component of the lab is based on hands-on work. Labs require the instructor to be present in the classroom, teaching or observing.)
- c.** 15 credit hours a semester, or 30 credit hours during an academic year will be considered a full-time load. OR

20 contract hours per week will be considered a full-time load when teaching a combination of lecture and laboratory classes. 40 contact hours during an academic year will be considered a full-time load.

- d. When determining full-time load, either credit hour total or contact hour total -- whichever is reached first -- will be used.

Field studies, special topics, internships, and independent study course work are not calculated in the workload equation. Special assignments may be used as part of the load. A full-time load does not typically include online classes, or other classes for which separate teaching contracts are issued.

2.4 Overloads These guidelines are applicable to full-time faculty.

- a. Faculty teaching courses outside of their regular workload will receive overload compensation according to the Adjunct and Overload Pay Schedule, available upon request from the Associate Dean for Academic Affairs. Such classes include, but are not limited to Honors courses, Leadership through Service, and extra sections of labs. Overloads must be approved in advance by the Associate Dean for Academic Affairs.
- b. Work overload for full-time employees is typically restricted as follows:
 - The maximum overload during fall and spring semesters is 9 semester hour credits per semester.
 - The maximum overload during the summer session (8 weeks) is 3 classes for the term – up to 12 semester hour credits.
- c. If a full-time faculty member reaches an overload for the semester, the faculty member will complete the Overload Agreement form, found on the DCB website under Faculty & Staff – Forms. The form must be submitted to the corresponding department chair within 3 weeks of the semester start for verification and signature. It will then be forwarded to the Associate Dean for Academic Affairs for signature and approval. The Overload Agreement forms will be turned over to the Campus Dean for final approval by November 16th/April 16th and will be paid out during the first pay period in December or May of each year.

3. Types of Appointments

Academic appointments to DCB shall be probationary, tenured, or special.

- a. Probationary appointments are renewable annually and yield credit toward tenure.
- b. Tenured appointments recognize a right, subject to conditions in tenure guidelines, to continuous academic year employment in a program area as defined by DCB and stated on the contract.



- c. Special appointments for academic staff do not involve either tenure credits or status. However, there is a provision for faculty in non-tenure positions to request consideration for tenure track status if certain requirements are met as per DCB's tenure policy. All appointments are special except tenured and probationary.

Faculty appointments shall be confirmed by a contract which shall state on its face whether the appointment is probationary, tenured, or special. Contracts are issued for one academic year at a time.

Academic ranking of faculty shall be at the rank of lecturer, instructor, assistant professor, associate professor, and professor.

Provisions for required notices for faculty appointments may be found in Section 605 of the SBHE Policy Manual (www.ndus.edu). This section of the manual also contains information regarding general principles and procedures, due process, definition of terms, nonrenewal, termination, and dismissal as it relates to faculty.

4. Faculty Emeritus

Institutions may confer emeritus status upon professors who have retired, or who are about to retire, pursuant to institution policies and procedures. Criteria for emeritus status may include, but are not limited to, length of service to the institution, significant contributions to the institution and the State of North Dakota, or particularly distinguished service to an academic discipline. There shall be no salary, rights, or responsibilities that shall accrue to the holder of emeritus status.

CHAPTER II ~ FACULTY RESPONSIBILITIES

1. Office Hours

Faculty members are considered professional personnel responsible for accomplishing the tasks for which they are employed. They are responsible for making time available for student conferences and are expected to post and schedule a minimum of five office hours throughout the week at times that meet students' needs. A schedule of instructional and office hours is submitted to the Academic Affairs office each semester. The combination of classroom contact hours and office hours does not define the number of hours faculty are to spend on campus per week. Additional time will be spent for classroom preparation, committee work, program development, assessment, and scholarship.

2. Academic Honesty/Dishonesty

The academic community is operated based on honesty, integrity, and fair play. Occasionally, this trust is violated when cheating occurs, either inadvertently or deliberately. This section will serve as the guideline for cases where cheating, plagiarism, or other academic improprieties have occurred.



Policy

TENURE – FACULTY

F.603.1

EFFECTIVE DATE: NOVEMBER 2017

REVIEWED: JULY 2020

Policy

The SBHE awards tenure upon recommendation of the Chancellor. Prior to this action, a recommendation by the Campus Dean will be made to the institution's President (following review and recommendations made pursuant to the procedures established at the institution,) and from the President to the Chancellor.

SBHE tenure policy also requires a specific implementation plan for each institution under its direction. Procedures for tenure at DCB are made specific by the following:

- a. All tenured faculty members constitute the Tenure Committee whose recommendation will determine whether or not the award of tenure for a faculty member is recommended to the Campus Dean.
- b. The Tenure Committee functions as an independent committee, elects its own Chair, determines its policies and procedures, establishes the dates by which materials for committee review are to be submitted by the faculty member and others, and maintains minutes of its deliberations -- including its formal vote on whether or not a recommendation for the award of tenure is forwarded. A copy of such minutes is available on request to the faculty member involved. Copies are also given to the Campus Dean and Associate Dean for Academic and Student Affairs.
- c. A faculty member shall qualify for a tenure recommendation by satisfying all the following criteria for tenure during a probationary period of six years of academic service to the institution.
 - Evidence of teaching effectiveness/professional growth/contributions to student growth and development. For example: results of student, departmental, and peer evaluations; assessment activities; active participation in professional organizations and activities; attendance and/or presentations at workshops and graduate seminars; scholarly publications; student advisement; advisement of student clubs and organizations; and program development.
 - Service to the college. For example: grantsmanship; student recruitment; officer of Faculty Senate; chair and/or active participation in campus committee work; office and/or active participation in Logroller, Foundation, or Alumni organizations; conducting and/or assisting with campus-sponsored clinics, workshops, concerts, athletic events, and other productions; attendance at campus functions such as drama, athletics, music, and recognition and fundraising events.

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- Service to the community. For example: presentations to community and service organizations; active participation and/or offices held in community and service organizations; active participation in community events sponsored by groups such as churches and school systems; serving on advisory boards; offering adult education or extension courses; participation in campus outreach programs; and other activities and volunteer efforts that result in positive publicity and recognition for the faculty member and the college.

The foregoing lists provide examples of activities that the Tenure Committee believes support faculty endeavors in the respective categories. The list is a guide for faculty to assess those activities the Tenure Committee has deemed appropriate for fulfilling criteria for tenure considerations. It should not be considered definitive and can be periodically modified by the Committee.

- Letters of recommendation. The number of recommendations provided to the Committee to verify criteria a, b, and c is left to the faculty member requesting tenure. However, it is suggested that a minimum of four letters be submitted and would typically include letters from the following: 1) the Associate Dean for Academic and Student Affairs, 2) a peer from within the applicant's discipline, and 3) a peer from outside the applicant's discipline.
- d. It is the tenure applicant's responsibility to develop and present a portfolio to the Tenure Committee. The portfolio documents excellence in each of the criteria. It is to be indexed to correspond to the criteria: 1) evidence of teaching effectiveness/professional growth/contributions to student growth and development, 2) service to the college, 3) service to the community, and 4) letters of recommendation.
- e. A tenure application portfolio must be submitted to the Tenure Committee by November 1 of the sixth year of a probationary period.
- f. The Tenure Committee should use the application portfolio as the primary basis to reach its decision. It may ask the faculty member to supplement materials when appropriate, request a meeting with the Associate Dean for Academic and Student Affairs, and take other reasonable steps to ensure it has an adequate basis from which to make its recommendation. These steps include, but are not limited to, access to individual personnel files and prior evaluation materials.
- g. In submitting a recommendation for the award of tenure to the Campus Dean, the Committee is taking an affirmative position that the candidate has established a significant level of excellence in each evaluative criterion.

Tenure

What is the purpose of tenure of your institution?

LRSC does not have an independent statement of purpose regarding tenure. LRSC accepts the purpose of tenure statement as imposed by SBHE Policy 605.1 #2.

How does tenure support the mission and vision of your institution?

It allows LRSC to compete on a level playing field for the most qualified faculty to fill open positions. Without the availability of tenure, highly qualified academic faculty are unlikely to consider LRSC as a viable employer for long term service.

Post-tenure

Does your institution have a post-tenure review/evaluation process that is distinct from the annual review process?

Yes

When is a post-tenure review conducted for tenured faculty?

Every three years.

How does the post-tenure review of tenured faculty differ from annual evaluations of tenure-track and non-tenured faculty?

The processes for classroom observation evaluations (frequency) are based on years of service, not tenure status. Tenured faculty are not treated differently than non-tenure and non-tenure track faculty. Expectations for performance are also the same.

What is the role of the institution president/campus dean in the post-tenure review process?

If the faculty member disagrees with Vice President's evaluation or the class observation evaluation, an evaluation by the president may be requested.

Briefly summarize what metrics are examined at the institutional level in the post-tenure review process.

LRSC conducts an annual enrollment report that includes programs and disciplines taught by tenured faculty. This report includes enrollment information by discipline and credit production individually for all full time faculty.

Briefly summarize what metrics are examined at the departmental level in the post-tenure review process.

LRSC conducts an annual enrollment report that includes programs and disciplines taught by tenured faculty. This report includes enrollment information by discipline and credit production individually for all full time faculty.

Policy/Procedure/Suggestions

What suggestions do you have to improve the tenure/post-tenure process at your institution?

LRSC is satisfied with our tenure and post-tenure review process and expectations. All faculty, tenure and non-tenure, are held to the same standard of performance and accountability.

What suggested edits do you recommend to SBHE Policy and NDUS Procedure related to tenure?

LRSC is satisfied with SBHE Policy and NDUS Procedure related to tenure.

SECTION 700.09
FACULTY EVALUATION

Faculty shall be evaluated utilizing three (3) components:

1. Supervisor evaluation
2. Student evaluation
3. Classroom observations

The evaluations are intended to be used as instruments for improvements of instruction. The Vice President of Academic and Student Affairs may use the evaluation for salary promotions and/or retention. These evaluations will also be available to the Faculty Senate Tenure Committee as provided for under the Institutional Tenure Guidelines (See Article 700.13).

1. Faculty Evaluations
 - a. A supervisory evaluation will be conducted each year when a classroom observation evaluation is not scheduled.
 - b. A *Class Observation Evaluation* will be used as the standard evaluation instrument with the following frequency*
 - i. Year 1: One evaluation in fall, one evaluation in spring.
 - ii. Year 2, 4, and 6: One evaluation during the school year.
 - iii. Year 7 and beyond: One evaluation every three years.
 - iv. Part-time faculty evaluations will be conducted following the same schedule as above (i.-iii.) for full-time faculty.
*Additional evaluation may be conducted upon the instructor's request or at the discretion of the administration in the case of non-tenured faculty.
 - c. One (1) calendar weeks' notice shall be given to the instructor prior to any class observation evaluation.
 - d. Within one (1) week, the supervisor will meet with the faculty member to review the class observation evaluation. Upon completion of the review, the faculty member will sign the evaluation and be given an opportunity to make comments or observations of their own.
 - e. If the instructor disagrees with the supervisor's evaluation or the class observation evaluation, an evaluation by the President may be requested. This second evaluation by the President shall also be included in the faculty member's file.
2. Student Evaluations
 - a. Frequency*
 - i. Non-Tenured Faculty: One class each semester
 - ii. Tenured Faculty: One class each year.
 - iii. Part-time Faculty: One class each semester.
*Additional student evaluations may be conducted upon instructor's request or at the discretion of the administration in the case of non-tenured faculty.
 - b. A *Student Opinion of Teaching Effectiveness* form will be the standard evaluation instrument.
 - c. Forms will be distributed and returned to the Vice President of Academic and Student Affairs Office by a designated student in each class.

- d. Forms will be tabulated by summarizing both the numerical and written responses. The summary will be returned to the instructor.
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History

Administrative Council Approved 700.09 (2) 08/31/99

Administrative Council Approved 700.09 (2) 05/02/01

Administrative Council Approved 700.09 (2) 09/10/02

Administrative Council Approved 700.09 (2) 10/29/02

Administrative Council Approved 700.09 (2) 12/18/12

Administrative Council Approved 700.09(1, b,c,d,e and 2,a,i) 12/21/15

SECTION 700.13

INSTITUTIONAL TENURE GUIDELINES

1. Statement of Regulation: The North Dakota University System of Higher Education retains unto itself final and absolute authority to grant tenure. To assist in this decision, the Board takes into consideration recommendations of the Lake Region State College faculty and endorsement of the President.
2. Consideration for Tenure Status: To qualify for Consideration of tenure a faculty member must:
 - a. Complete six (6) years of probationary service to the College
 - b. Be recommended for tenure by the Lake Region State College Faculty Senate Tenure Committee.
 - c. Receive the endorsement of the President of Lake Region State College.
3. Credit for Previous Professional Experience: An individual with previous teaching experience may, at the discretion of the College, be given tenure credit not to exceed three (3) years. Such credit will be regarded as service to the College for the purpose of this policy. The decision to award credit for previous teaching experience shall be made in writing by the President at the time of the original employment by completing the *Salary Determination* Form.
4. Tenure Committee: The Faculty Senate Tenure Committee shall consist of five (5) members with tenure status as determined by the Faculty Senate Constitution (See Chapter 1400.02)
5. Tenure-Granting Procedures
 - a. In September of each academic year the President shall notify those persons who are eligible for tenure and submit these names to the Faculty Senate Tenure Committee for consideration.
 - b. It is the tenure applicant's responsibility to develop and present an application portfolio to the Faculty Senate Tenure Committee.
 - c. The Faculty Senate Tenure Committee may ask the tenure applicant to supplement materials when appropriate, may request a meeting with the Vice President of Academic and Student Affairs, and may take other reasonable steps to assure it has an adequate basis from which to make its recommendation.
 - d. The Faculty Senate Tenure Committee may have access to the individual's master personnel file if the tenure applicant provides the Committee with written permission to review his/her master personnel file.
 - e. The Faculty Senate Tenure Committee shall vote on each case individually.
 - f. The Faculty Senate Tenure Committee shall report its final determination, in writing, to each tenure applicant and to the President.
 - g. The President will present those candidates who qualify for consideration to the NDUS Vice Chancellor of Academic and Student Affairs for action.
 - h. The President of Lake Region State College shall inform each applicant of the Board's final decision.
6. Tenure Application Process
 - a. The faculty member who is eligible for consideration of the tenure will complete and present an application portfolio to the Faculty Senate Tenure Committee by November, 15. Failure to prepare the application portfolio shall be interpreted as a disinterest in tenure.

- b. Contents of the application portfolio
 - i. A letter of application supporting the request for tenure and evaluation data which would include:
 - 1. Student evaluations
 - 2. Evaluation reports for the past five (5) years prepared by the Vice President of Academic and Student Affairs or the Vice President's designee
 - 3. Any reaction from the applicant to these evaluations
 - ii. Current transcripts and documentation of any additional courses, workshops, or seminars.
 - iii. A minimum of four letters of recommendation which would include letters from:
 - 1. The Vice President of Academic and Student Affairs
 - 2. A peer from within the applicant's division
 - 3. A peer from outside the applicant's division
 - iv. Such other materials as the applicant may desire to include.
- 7. Evaluation Criteria Used by Tenure Committee:
 - a. Teaching effectiveness, as demonstrated by such things as student and faculty evaluations, development and use of teaching materials, examinations and course outlines.
 - b. Fulfillment of professional responsibilities, as demonstrated by such things as involvement with student advisees; serving on division, college and system-wide committees/councils; and membership and service to professional organizations.
 - c. Mastery of the subject matter in discipline, as demonstrated by such things as honors, awards, and publications in subject matter and addresses and presentations of scholarly papers and exhibits.
 - d. Continuing scholarly growth, as demonstrated by such things as fellowships, original research, and additional college credits. Candidates teaching in the academic discipline must have earned a Master's Degree. Candidates teaching in the career and technical areas must have earned a Bachelor's Degree.
 - e. Contributions to the College and the community, as demonstrated by such things as exhibits and performances which bring positive recognition to the College, involvement in co-curricular activities, participation in department and community activities, and participation on student recruitment.
- 8. Appeal of Tenure Decision:
 - a. In the event that a Faculty Senate Tenure Committee decides not to recommend tenure, the applicant may appeal the Committee's decision before the full Faculty Senate.
 - b. In the event that the President determines that the applicant will not receive the President's endorsement, the applicant may appeal the President's decision following the Institutional grievance procedure.
- 9. Faculty Procedure to Change Tenure Track Positions:
 - a. In the event that a faculty member requests consideration to change from non-tenure to tenure track status the following criteria for eligibility must first be met:
 - i. The faculty member has been a full-time Lake Region State College faculty member for five (5) consecutive contract years. This application can be submitted during the fifth contract year.
 - ii. The faculty member is not a member of a low enrollment program for the previous two (2) years.

- b. A faculty member with this five (5) years Lake Region State College teaching experience, may be given no more than three years tenure credit.
 - c. The faculty member who meets the eligibility requirements shall appear and present the written justification no later than the February Faculty Senate Tenure Committee meeting. The written request shall provide evidence of teaching effectiveness, fulfillment of professional responsibilities, mastery of subject matter in the discipline, and the scholarly growth by the completion of a Master's Degree in the academic discipline or a Bachelor's Degree in the career and technical disciplines.
 - d. The Tenure Committee shall forward their recommendation in a letter to the Vice President of Academic and Student Affairs within ten (10) business days. If the Tenure Committee decides against a positive recommendation, the faculty member may appeal the decision to the full Faculty Senate at the next Faculty Senate meeting.
 - e. The Vice President of Academic and Student Affairs shall prepare a letter of recommendation to the President within ten (10) business days.
 - f. The President shall forward a letter of decision to the faculty member and the Tenure Committee by the first business day in May.
-

History

Executive Dean Approved 700.13 (8) 06/01/88

Administrative Council Approved 700.13 (8) 12/18/12

Administrative Council Approved 700.13 (9) 12/18/12

Administrative Council Approved Updates to (5g, 7d, 9c) 04/21/16

SECTION 700.14

FACULTY RANK/PROMOTIONS

1. Policy: Lake Region State College shall establish a system of faculty rank.
2. Statement of Purpose: The purpose of faculty rank at Lake Region State College is to acknowledge and reward members of the faculty for professional competence and service to the institution. Procedures and criteria for the attainment and advancement of rank have been established to assure that quality performance is rewarded and recognized. Faculty members will retain their rank/status after moving into a professional staff status.
3. Definitions of Faculty Rank:
 - a. Instructor - Full-time, tenure and non-tenure track.
 - b. Assistant Professor - Full-time, tenure and non-tenure track faculty.
 - c. Associate Professor - Full-time, tenured and non-tenure track faculty.
 - d. Professor - Full-time, tenured faculty member who has successfully met the criteria for professorship and been awarded this rank by the President.
4. Tenure Committee: If one of the members of the Tenure Committee wishes to apply for promotion, the President of the Faculty Senate shall appoint a substitute committee member.
5. Application Procedure for Assistant Professorship: Applicants for an assistant professorship teaching in an academic discipline shall possess a master's degree. Applicants for assistant professorship teaching in a CTE discipline should possess a bachelor's degree plus CTE certification. By January 1, the candidate for promotion to the rank of Assistant Professor will present a letter of application to the Tenure Committee with a portfolio of the following documents:
 - a. Evidence of at least three (3) years of service in the rank of instructor at Lake Region State College.
 - b. Evidence of quality instruction, e.g., student evaluations, course development, instructional material and development and professional activity in teaching methods, two recommendations (the first recommendation from a LRSC faculty and the second recommendation may be from any of the following – LRSC staff member, advisory board member, NDUS colleague).
 - c. Evidence of professional growth and achievement, e.g., professional organizations and activities, research, workshops attended and given, and works published.
 - d. Evidence of college and community service, e.g., activities and volunteer efforts which results in positive recognition for the faculty member and the College.
6. Application Procedure for Associate Professorship: Applicants for associate professorship teaching in an academic discipline shall possess a master's degree. Applicants for associate professorship teaching in a CTE discipline shall possess a bachelor's degree plus CTE certification. By January 1, the candidate for promotion to the rank of the Associate Professor will present a letter of application to the Tenure Committee with a portfolio of the following documents:
 - a. Evidence of three (3) years of service in the rank of Assistant Professor at Lake Region State College.
 - b. Evidence of quality instruction, e.g., student evaluations, course development, instructional materials development and professional activity in teaching methods, two

- recommendations (the first recommendation from a LRSC faculty and the second recommendation may be from any of the following – LRSC staff member, advisory board member, NDUS colleague).
- c. Evidence of professional growth and achievement, e.g., professional organizations and activities, research, workshops attended and given, and works published.
 - d. Evidence of college and community service, e.g., activities and volunteer efforts which results in positive recognition for the faculty member at the college.
7. Application Procedure for Professorship: Applicants for full professorship teaching in an academic discipline shall possess a master's degree plus twelve graduate semester hours. Applicants for professorship teaching in a CTE discipline should ordinarily possess a master's degree plus CTE certification. By January 1, the candidate for promotion to the rank of professor will present a letter of application to the Tenure Committee with a portfolio of the following documents:
- a. Evidence of three (3) years of service in the rank of Associate Professor at Lake Region State College.
 - b. Evidence of quality instruction, e.g., student evaluations, course development, instructional materials development and professional activity in teaching methods, two recommendations (the first recommendation from a LRSC faculty and the second recommendation may be from any of the following – LRSC staff member, advisory board member, NDUS colleague)
 - c. Evidence of professional growth and achievement, e.g., professional organizations and activities, research, workshops attended and given, and works published.
 - d. Evidence of college and community service, e.g., activities and volunteer efforts which results in positive recognition for the faculty member and the College.
8. Evaluation and Review Procedure:
- a. The chairperson of the Tenure Committee shall convene the committee for examination of the portfolio. The Vice President of Academic and Student Affairs shall provide the committee with documentation of the applicant's teaching effectiveness and other data as appropriate.
 - b. The committee shall make a determination by majority vote as to whether the candidate fulfills the criteria for promotion. In the event that the Tenure Committee decides not to recommend promotion, the applicant may appeal the committee's decision before the full Faculty Senate.
 - c. Upon the approval of the Tenure Committee or the full Faculty Senate, the Tenure Committee shall forward the results to the Vice President of Academic and Student Affairs. In the event that the Vice President of Academic and Student Affairs decides not to recommend the candidate may appeal the decision before the President.
 - d. If the President supports the recommendation for promotion, the rank will then be awarded.
 - e. In the event the President determines that the applicant will not receive promotion, the applicant may appeal the President's decision following the Institutional grievance procedure.

History

Executive Dean Approved 12/01/93

Administrative Council Approved 700.14 (3. c. and 6.) 05/11/15

Administrative Council Approved 700.14 (2)

Administrative Council Approved 700.14 (6)
Administrative Council Approved 700.14 (4, 8c) 04/21/16
Administrative Council Approved 700.14 12/03/18

SECTION 700.20

TENURED FACULTY TERMINATION RELATED TO A PROGRAM CLOSURE

The following is the “means by which faculty participation will be provided in resolving the following questions in cases where termination of tenured faculty is necessary” per Section 605.E2, a. b. c. of the North Dakota State Board of Higher Education Policy Manual:

1. Prior to the decision to terminate tenured faculty, the President shall meet with the Faculty Senate during the fall semester to demonstrate the need for the action.
2. The administrative proposal for reduction recommendation will then be forwarded to the Curriculum and Academic Standards Committee for study and then presented to the Faculty Senate for its recommendation. If the President does not concur with the Faculty Senate recommendations, the President has the authority to recommend a particular course of action. The President will first meet with the Faculty Senate to seek mutual understanding and support for the recommended proposal. If agreement cannot be reached and the President wishes to proceed, it will be necessary that the specific recommendations and justifications are prepared in writing and given to each member of the Faculty Senate. Examples of factors that may be considered are enrollment trends, size of department, and whether or not there are other departments in the state system of higher education.
3. After an individual department has been selected for a reduction in personnel, it shall be the responsibility of the Faculty Senate working in concert with the Vice President of Academic and Student Affairs to recommend to the President which appointment(s) will be terminated. Significant points to be considered are length of service and tenure status of faculty members within any affected unit or program area. Other factors to be considered, and which may be conclusive, include curriculum requirements, professional achievement, breadth of competence, and equal employment opportunity. If desired, the faculty member(s) can apply for a review of this action as provided in the Board policy.

History



NORTH DAKOTA STATE COLLEGE OF SCIENCE

Tenure

What is the purpose of tenure of your institution?

To answer these questions, I sent out this list of questions to faculty and asked for their input. I also met with our Faculty Senate to gather input. Following is a summary of faculty responses, as well as my own thoughts on the topic:

Faculty response: 1) Ability to retain and attract faculty. However, as we discussed this further it became clear that this was important primarily to the Liberal Arts faculty as some of the CTE faculty stated that tenure was not a reason why they joined (or stayed at) the institution. 2) Academic freedom. Even this notion was challenged in Faculty Senate. This would suggest that those who are not tenure track, or tenured, do not have academic freedom. The fact is that all instructors have academic freedom, within the guidelines of program, and institutional policy. 3) Improves the quality of the faculty and/or teaching quality. While this may be true, the annual evaluation that all full-time employees go through each year serves to provide this sort of review and continuous improvement process. 4) Faculty did agree that tenure "is not a process that guarantees job security." 5) Some faculty have stated that they like tenure because they know if their job is eliminated (for any reason) that they are guaranteed at least one year to go find another job. My response is that it does not require tenure to have this as institutional policy/process.

RLF response: I have stated, and continue to maintain, that tenure at a Community College does not have the same purpose and meaning that it has at a 4-year institution. There are many states in the U.S. where 2-year institutions do not have tenure. At NDSCS, where over 75% of our students are in the Technical/Trades area of instruction, I'm not entirely convinced that tenure is needed. If tenure continues at the ND 2-year schools, we need to be very intentional about explaining what it means, why we have it, the purpose, and the establishment of a rigorous and meaningful process to earn it.

If, as a 2-year institution, we continue to have a tenure policy/process, can we allow those who do not want to be tenured to simply "opt out". If so, what does that mean? With no post-tenure review process, it sort of calls into question the role/value of tenure at the institution. Today, 99% of NDSCS faculty are either tenured or tenure track, higher than any other ND institution.

How does tenure support the mission and vision of your institution?

Faculty response: 1) Tenure assures that faculty are continuing in the process of learning, researching and practicing innovative pedagogical techniques to improve student learning. However, with no post-tenure review, I do not know how we "assure" that this is happening. 2) Institutional values of Learning, Integrity, Flexibility, and Excellence are all tied to tenure. Again, I do not believe the stated institutional values are tied to the tenure process. 3) "A tenure policy strengthens the capability of a college to attract and retain superior teachers and scholars..." 4) The tenure policy ensures the quality of instructor by requiring them to go through the tenure process. I would argue that the probationary period for all employees allows us to gauge the quality of their work. Annual evaluations aid in this process.

RLF response: 1) I firmly believe that if we, as an institution, provide a safe, tolerant, and exciting work environment for faculty, that we do not need to worry about people leaving

because they do not have tenure. I want to create the sort of working environment for faculty wherein they really want to be here, and really want to recruit their friends and family to also work here. 2) I do not believe tenure, in and of itself, is required for us to fulfill the mission of the college.

Post-tenure

Does your institution have a post-tenure review/evaluation process that is distinct from the annual review process?

No

Policy/Procedure/Suggestions

What suggestions do you have to improve the tenure/post-tenure process at your institution?

We do not have a post-tenure process. Faculty felt as though the annual review serves the purpose. If we continue to have tenure at this institution, we need to develop a rigorous post-tenure review.

What suggested edits do you recommend to SBHE Policy and NDUS Procedure related to tenure?

It would be nice if policy clearly allowed for tenure to be optional at NDUS institutions. Policy 605.1 specifically states that "the purpose of tenure is to assure academic freedom". I believe that academic freedom is built into the culture of our institution, and is the right of all faculty; tenured, tenure track, adjunct, non-tenure track, interim, and anyone else instructing students. Tenure, alone, does not protect academic freedom.

FACULTY REVIEW PROCESS FOR

CHANGE IN RANK

- **By October 1**, a letter of application will be submitted to the Division Dean or Department Chair office, with a copy sent to Vice President for Instructional Affairs, by faculty member requesting a promotion in rank. The faculty member will also request that the Department Chair* collect student, departmental and advisee evaluations.
- **By January 10**, petition (signed application form) and portfolio, including all relevant materials and recommendations, will be submitted to Department Chair.
- **By January 15**, if applicable, petition and portfolio will be submitted to the Division Dean by the Department Chair.
- **By February 1**, petition and portfolio will be submitted to the Tenure and Ranking Committee by the Division Dean or Department Chair.
- **By March 15**, the Tenure and Ranking Committee will inform the applicant of their recommendation.
- **By April 1**, applicant may make written request to Committee to speak on their own behalf.
- **By April 15**, Vice President for Instructional Affairs receives recommendation and confers with President.
- **By May 1**, the President will inform the applicant in writing of final decision.
- All portfolios will be returned to employees upon completion of the process.

PORTFOLIO/BINDER CONTENTS

Contents of the instructor(s) binders must contain: (In the following order with tabbed dividers and index or table of contents.) This portfolio may be submitted electronically.

I. All performance appraisals including appraisal for current academic year

- A. Inclusion of all previous appraisals on file with assurances that feedback from chair or supervisor, students and department peers has been utilized.
- B. Inclusion of a document outlining faculty members short-term and long-term goals for professional growth.

II. Student evaluation summary sheets including comments

- A. Evaluations are to be obtained utilizing the most current standardized forms and accompanying procedures.
- B. All student evaluations will be included for each semester, including the current academic year. Faculty member is encouraged to write a comprehensive reflection on these student evaluations each semester that highlights themes, challenges, changes, and growth.
- C. Faculty member course evaluations will be provided to you within two weeks after the end of the semester.
- D. The faculty member is encouraged to include classroom observation summaries with their portfolio. These summaries may be completed by their supervisor or any tenured faculty member within the college community. Observations may also include:
 - i. Accreditation/industry classroom/laboratory observations
 - ii. Mentorship classroom/laboratory observations

III. Evidence of professional growth

- A. Resumé
- B. Campus Involvement - other involvement besides teaching and curriculum development (non-teaching). List terms of membership on committees for verification purposes.
- C. Professional Activities: Please list events and accomplishments – original certificates or photocopies, correspondence, etc. as evidence within the last 5 years.
- D. Other

IV. Other criteria specific to each rank as detailed in Faculty Ranking Policy (Bulletin 50)

Lecturer: Part-time or Adjunct.

Instructor: Part-time faculty and full-time faculty within first two contract years and not yet eligible for Assistant Professorship.

Assistant Professor: Full-time faculty with a 3rd year contract and an Associate Degree in the field of study.

-or- Full-time faculty with a 3rd year contract and six (6) semester credits toward an approved educational plan.*

-or- Associate of Applied Science and 15 years related experience.

-or- Bachelor of Science/Arts with 10 years related experience.

-or- Master's Degree with five (5) years related experience.

-or- Ph.D. with no related experience required.

The ranks of Lecturer, Instructor or Assistant Professor will be determined by the Department Chair and Division Dean upon hiring. The rank determination will be submitted to Human Resources on the Personnel Form. Human Resources will notify the Tenure and Ranking Committee of the rank status of new faculty.

*The "educational plan" mentioned above should be drawn up in a joint effort by faculty member, Department Chair, and Division Dean.

Associate Professor: Full-time, faculty with tenure or a 7th year contract and a minimum of an Associate Degree, who have successfully met the criteria for Associate Professor and have been awarded this rank by the President of the College.

Professor: Full-time faculty member who has successfully met the criteria for full professorship and has been awarded this rank by the President of the College.

The request for rank of Professor will be reviewed by the Tenure and Ranking Committee. Criteria requirements and supporting documentation will be submitted in a portfolio to the Committee.

Criteria for Associate Professorship: The following criterion constitutes the minimum necessary to be considered for promotion to Associate Professor:

- 1 - Full-time faculty with tenure or a 7th year contract and a minimum of an associate degree.
- 2 - Successful completion of a portfolio that documents evidence of:
 - Provide classroom and laboratory instruction and supervision
 - Provide ongoing curriculum development and revision of courses and program areas
 - Provide academic advising to students
 - Participate in professional development activities
 - Participate in departmental and campus activities
 - An active extension of NDSCS within society

Criteria for Professorship: The following criteria constitute the minimum necessary to be considered for promotion. (Exceptions to these minimums can be made for an outstanding individual, but the burden of proof for such exceptions rests with the individual and the department.)

- 1 - Associate Professor for a minimum of five (5) years.
- 2 - Advanced degree/certification/expertise.
- 3 - A Professor is someone who embodies the shared values of NDSCS (Learning, Integrity, Flexibility, Excellence) by demonstrating continuous growth in (supporting documentation must include each of the following):
 - A. Provide classroom and laboratory instruction and supervision
 - B. Provide ongoing curriculum development and revision of courses and program areas
 - C. Provide academic advising to students
 - D. Participate in professional development activities
 - E. Participate in departmental and campus activities
 - F. An active extension of NDSCS within society

Activities must be related to instructional department in which rank is assigned.

Changes in the criteria must be submitted before September 1 to the Vice President for Instructional Affairs. These changes must be on file in the office of the Vice President for Instructional Affairs for one year before the changes take effect.

V. Other supporting information

These guidelines and dates are subject to change if extenuating circumstances warrant and with proper notification to the Tenure and Ranking Committee. Without complete documentation of all areas of the portfolio, the Tenure and Ranking Committee will not make a recommendation to the President for award of rank.

**In cases where faculty being reviewed are supervised by a family member or significant other, the data collection and preliminary portfolio review process will be carried out by a Division Dean or Vice President for Instructional Affairs. If faculty being reviewed is a Department Chair, all references to Department Chair would revert to Division Dean, unless excluded by nepotism policy.*

(NDCC 44-04-09, NDUS Policy 603.3)

APPLICATION FOR PROFESSORSHIP
FACULTY REVIEW FOR CHANGE IN RANK

I, _____, a faculty member in the
_____ department, would like to apply for
Professor status at the North Dakota State College of Science. I have enclosed the materials requested
by the Tenure and Ranking Committee for their review and consideration.

Applicant Signature Date

_____ I have reviewed this document and find the information to be accurate and complete.

*Department Chair's Signature Date

_____ I have reviewed this document and find the information to be accurate and complete.

*Dean's Signature Date

Ranking Committee Action

_____ Approved _____ Denied

Tenure/Ranking Committee Chair's Signature Date

_____ I recommend approval of this request _____ I do not recommend approval of this request

Vice President for Instructional Affairs's Signature Date

_____ I approve this request _____ I do not approve this request

President's Signature Date

RECOMMENDATIONS/COMMENTS: _____

APPLICATION FOR

FACULTY REVIEW FOR CHANGE IN RANK

(This form is to be used in the event that extenuating circumstances lead a faculty member to apply for advanced rank ahead of the established schedule.)

I, _____, a faculty member in the
_____ department, would like to apply for (check one)

___ **Assistant Professor**

___ **Associate Professor**

___ **Professor**

status at the North Dakota State College of Science. I have enclosed the materials requested by the Tenure and Ranking Committee for their review and consideration.

Applicant Signature

Date

___ I have reviewed this document and find the information to be accurate and complete.

*Department Chair's Signature

Date

___ I have reviewed this document and find the information to be accurate and complete.

*Dean's Signature

Date

Ranking Committee Action

___ **Approved**

___ **Denied**

Tenure/Ranking Committee Chair's Signature

Date

(Continued on next page)

_____ I recommend approval of this request

_____ I do not recommend approval of this request

Vice President for Instructional Affairs's Signature

Date

_____ I approve this request

_____ I do not approve this request

President's Signature

Date

RECOMMENDATIONS/COMMENTS: _____

**In cases where faculty being reviewed are supervised by a family member or significant other, the data collection and preliminary portfolio review process will be carried out by a Division Dean or Vice President for Instructional Affairs. If faculty being reviewed is a Department Chair, all references to Department Chair would revert to Division Dean, unless excluded by nepotism policy. (NDCC 44-04-09, NDUS Policy 603.3)*

PRIOR TENURE CREDIT

Faculty may apply for credit for prior experience toward tenure at NDSCS. The following dates indicate the schedule to be followed for this process.

— FIRST YEAR OF TENURE TRACK POSITION —

- **By October 1**, new faculty receive information on prior credit process from the Tenure and Ranking Committee.
- **By November 1**, faculty will submit a “Letter of Intent” to their Division Dean or Department Chair* office expressing their intent to request a review of their past teaching experience for credit toward tenure at NDSCS. Faculty will also send an information copy of this letter to Department Chair and Vice President for Instructional Affairs. The Dean/Chair will sign and date the letter and forward it to the Vice President for Instructional Affairs.
- **By January 15**, faculty will submit portfolio, including relevant materials and recommendations to Department Chair.*
- **By February 1**, if, applicable portfolio will be submitted to the Division Dean by the Department Chair.
- **By March 1**, portfolio will be submitted to Tenure and Ranking Committee by Division Dean or Department Chair.
- **By April 1**, the Tenure and Ranking Committee will make recommendation to the Vice President for Instructional Affairs.
- **Within 7 working days of being notified**, applicant may make written request to Committee to speak on their own behalf if they wish to discuss the Committee’s decision.
- **By April 30**, the Vice President for Instructional Affairs will forward the recommendation to the President of the College.
- **By May 15**, the President will inform the applicant in writing of the final decision.
- Portfolio will be returned to employee upon completion of the process.

PORTFOLIO CONTENTS (Sample portfolio available in the Academic Program Support Office)

Contents of the portfolio must only contain documentation from experience prior to receiving a tenure contract: (In the following order with tabbed dividers and index or table of contents.) This portfolio may be submitted electronically.

I. Performance appraisals from applicable institutions

Inclusion of all previous complete performance appraisals and/or other documentation providing an assessment of the candidate’s performance.

II. Student evaluation summary sheets including comments

- A. Evaluations are to be obtained utilizing the most current standardized forms and accompanying procedures.
- B. All student evaluations will be included for each semester, including the current academic year. Faculty member is encouraged to write a comprehensive reflection on these student evaluations each semester that highlights themes, challenges, changes and growth.
- C. The faculty member is encouraged to include classroom observation summaries with their portfolio, if applicable. These summaries may be completed by their supervisor or any tenured faculty member within the college community. Observations may also include:
 - i. Accreditation/industry classroom/laboratory observations
 - ii. Mentorship classroom/laboratory observations

III. Evidence of professional growth

- A. Current resumé
- B. Campus Involvement-other involvement besides teaching and curriculum development (non-teaching). List terms of membership on committees for verification purposes.
- C. Professional Activities: Please list events and accomplishments goals - original certificates or photocopies, correspondence, etc. as evidence within the last 5 years.
- D. Degree/Certifications/Licensures - If applicable: CTE Certification, evidence of degree progress.
- E. Statement of professional goals including short- and long-term goals.
- F. Other

IV. Other Supporting information

- A. Documentation, including two letters of recommendation, from both previous and current teaching experiences.
- B. Documentation of tenure status awarded at other institution(s), if applicable.
- C. Evidence listing classes and credits taught by semester.
- D. Any additional information to support your request.

NOTE: These guidelines and dates are subject to change if extenuating circumstances warrant and with proper notification to the Tenure and Ranking Committee. Without complete documentation of all areas of the portfolio, the Tenure and Ranking Committee will not make a recommendation to the Vice President for Instructional Affairs for tenure credit.

**In cases where faculty being reviewed are supervised by a family member or significant other, the data collection and preliminary portfolio review process will be carried out by a Division Dean or Vice President for Instructional Affairs. If faculty being reviewed is a Department Chair, all references to Department Chair would revert to Division Dean, unless excluded by nepotism policy. (NDCC 44-04-09, NDUS Policy 603.3)*

APPLICATION FOR
PRIOR TENURE CREDIT

Name _____

Request for prior credit of: ___ One year ___ Two years ___ Three years

Applicant Signature

Date

Recommend approval of prior credit of: ___ One year ___ Two years ___ Three years

Comments:

Do not recommend approval of this request (documentation attached) ___

Department Chair's Signature

Date

Academic unit/program area to which tenure credit is being recommended: _____

Recommend approval of prior credit: ___ One year ___ Two years ___ Three years

Comments:

Do not recommend approval of this request (documentation attached) ___

Dean's Signature

Date

Academic unit/program area to which tenure credit is being recommended: _____

Recommend approval of prior credit of: ☐ One year ☐ Two years ☐ Three years

Comments:

Do not recommend approval of this request (documentation attached) ☐

Tenure Committee Chair's Signature Date

Academic unit/program area to which tenure credit is being recommended: _____

Recommend approval of prior credit of: ☐ One year ☐ Two years ☐ Three years

Comments:

Do not recommend approval of this request (documentation attached) ☐

Vice President for Instructional Affairs's Signature Date

Academic unit/program area to which tenure credit is being approved: _____

Approval of prior credit of: ☐ One year ☐ Two years ☐ Three years

Comments:

Do not approve of this request (documentation attached) ☐

President's Signature Date

**In cases where faculty being reviewed are supervised by a family member or significant other, the data collection and preliminary portfolio review process will be carried out by a Division Dean or Vice President for Instructional Affairs. If faculty being reviewed is a Department Chair, all references to Department Chair would revert to Division Dean, unless excluded by nepotism policy. (NDCC 44-04-09, NDUS Policy 603.3)*



Professorship Checklist

Philosophy of Professorship - A professor is someone who embodies the shared values of NDSCS (Learning, Integrity, Flexibility, Excellence) by demonstrating continuous growth in:

- Teaching
- Academic Advising
- Professional development
- Curriculum/course development
- Department activities
- Campus activities
- Being an active extension of NDSCS within society

Name of Professorship Applicant:				
Department Tenured To:		Years of Service to Department: _____ Years	Years of Service to NDSCS: _____ Years	Highest Degree Received/From/Date:
Deadlines for Applications Met: Yes _____ No _____	Signatures of Department Chairs and Divisional Deans: Yes _____ No _____		Information Arranged in the Required Format: Yes _____ No _____	Evidence Shown
PROFESSORSHIP CRITERIA			SUPPORTING EVIDENCE OF EACH CRITERIA	YES NO
1	Full Time Tenured Associate Professor for a Minimum of 5 years			
2	Advance Degree/Certification			
3.A.	Provide Classroom and Laboratory Instruction and Supervision *Maintain supportive learning environment *Instruct and supervise classroom and laboratory courses as assigned *Prepare syllabi, lessons, assignments and related instructional materials *Maintain attendance and other student records *Evaluate student work and record student grades *Post and maintain office hours *Be available for student consultation *Provide necessary correspondence to appropriate campus offices regarding student progress, issues or concerns *Current and past student evaluations			
3.B.	Provide Ongoing Curriculum Development and Revision of Courses and Program Areas *Update courses taught on a regular basis *Research and develop new courses as assigned *Participate in new curriculum/course development as assigned			
3.C.	Provide Academic Advising to Students *Advise students in their specific curriculum as assigned *Maintain an excellent working knowledge of curriculum area/occupations and a general working knowledge of related areas/occupations *Be available for student consultation on a consistent basis *Monitor advisee's academic progress and provide academic counseling when appropriate *Assist advisees with preparation of individual term schedule *Current and past advisee evaluations			

PROCESS FOR

SIXTH YEAR CONTRACT REVIEW or TENURE CONTRACT REVIEW

- **By September 30**, the Tenure and Ranking Committee will meet to:
 - » Review Guidelines
 - » Identify eligible faculty
- **By October 15**, Tenure and Ranking Committee will notify eligible faculty of guidelines and process for tenure application.
 - » This will include faculty eligible for sixth year review or for tenure review.
- **By January 10**, eligible faculty will submit necessary data to their Department Chair.
 - » Faculty being reviewed for sixth year contract or tenure status will submit portfolio to their Department Chair.
 - » Faculty members are encouraged to submit their information as early as possible. It is the instructors' responsibility to gather the information and apply for tenure status.
- **By January 15**, if applicable, the Department Chair will submit portfolio to the Division Dean.
- **By February 1**, the Division Dean or Department Chair will submit the portfolio and recommendation to the Tenure and Ranking Committee.
- **By March 1**, the Tenure and Ranking Committee will have reviewed the data and made recommendation to the Vice President for Instructional Affairs who in turn will make a recommendation to the President.
- **By March 15**, tenure applicants will be notified of decision by the Committee and the President will submit the tenure recommendation(s) to the ND State Board of Higher Education for action at their April or May meeting.
- All portfolios will be returned to employees upon completion of the process.

Note: Tenure dates subject to change as required to meet State Board Higher of Higher Education meeting schedule.

PORTFOLIO CONTENTS (Sample portfolio available in the Academic Program Support Office)

Contents of portfolio must contain: (In the following order with tabbed dividers and index or table of contents and all documents must be dated.) This portfolio may be submitted electronically.

I. Most recent performance appraisal

Inclusion of all previous appraisals.

II. Student evaluation summary sheets including comments

- A. Evaluations are to be obtained utilizing the most current standardized forms and accompanying procedures.
- B. All student evaluations will be included for each semester, including the current academic year. Faculty member is encouraged to write a comprehensive reflection on these student evaluations each semester that highlights themes, challenges, changes and growth.
- C. Faculty member course evaluations will be provided to you within two weeks after the end of the semester.
- D. The faculty member is encouraged to include classroom observation summaries with their portfolio. These summaries may be completed by their supervisor or any tenured faculty member within the college community. Observations may also include:
 - i. Accreditation/industry classroom/laboratory observations
 - ii. Mentorship classroom/laboratory observations

III. Evidence of professional growth

- A. Current resumé
- B. Campus involvement - other involvement besides teaching and curriculum development (non-teaching). List terms of membership on committees for verification purposes.
- C. Professional activities: Please list events and accomplishments - original certificates or photocopies, correspondence, etc. as evidence within the last 5 years.
- D. Degree/Certifications/Licensures
 - If applicable: CTE Certification, evidence of degree progress
- E. Separate statement of short- and long-term professional goals
- F. Other

These guidelines and dates are subject to change if extenuating circumstances warrant and with proper notification to the Tenure and Ranking Committee. Without documentation, the Tenure and Ranking Committee will not make a recommendation to the Vice President for Instructional Affairs for award of tenure.

**In cases where faculty being reviewed are supervised by a family member or significant other, the data collection and preliminary portfolio review process will be carried out by a Division Dean or Vice President for Instructional Affairs. If faculty being reviewed is a Department Chair, all references to Department Chair would revert to Division Dean, unless excluded by nepotism policy. (NDCC 44-04-09, NDUS Policy 603.3)*

APPLICATION FOR

SIXTH YEAR CONTRACT REVIEW or TENURE CONTRACT REVIEW

Name _____

Year first employed: _____

Request for: ___ Sixth Year Contract Review ___ Tenure Contract Review

Prior Credit awarded, if so number of years: _____

Applicant Signature

Date

___ I recommend approval of this request

___ I do not recommend approval of this request
(documentation attached)

___ I recommend approval based upon the following conditions (used for 6th yr contract only):

Recommendations for strengthening portfolio: _____

*Department Chair's Signature

Date

Tenure track academic unit/program area being recommended: _____

___ I recommend approval of this request

___ I do not recommend approval of this request
(documentation attached)

___ I recommend approval based upon the following conditions (used for 6th yr contract only):

Recommendations for strengthening portfolio: _____

*Dean's Signature

Date

Tenure track academic unit/program area being recommended: _____

___ We recommend approval of this request

___ We do not recommend approval of this request
(documentation attached)

___ We recommend approval based upon the following conditions (used for 6th yr contract only):

Recommendations for strengthening portfolio: _____

Tenure/Ranking Committee Chair's Signature

Date

Tenure track academic unit/program area being recommended: _____

___ I recommend approval of this request

___ I do not recommend approval of this request
(documentation attached)

___ I recommend approval based upon the following conditions (used for 6th yr contract only):

Recommendations for strengthening portfolio: _____

Vice President for Instructional Affairs's Signature

Date

Tenure track academic unit/program area being approved: _____

___ I recommend approval of this request

___ I do not recommend approval of this request
(documentation attached)

___ I recommend approval based upon the following conditions (used for 6th yr contract only):

Recommendations for strengthening portfolio: _____

President's Signature

Date

**In cases where faculty being reviewed are supervised by a family member or significant other, the data collection and preliminary portfolio review process will be carried out by a Division Dean or Vice President for Instructional Affairs. If faculty being reviewed is a Department Chair, all references to Department Chair would revert to Division Dean, unless excluded by nepotism policy. (NDCC 44-04-09, NDUS Policy 603.3)*

Name _____

Tenure Contract Review

Date _____

Criteria						
I. Most recent performance appraisal Inclusion of all previous .	2022-23	2021-22	2020-21	2019-20	2018-19	
II. Student evaluation summary sheets including comments A. Evaluations are to be obtained utilizing the most current standardized forms and accompanying procedures						
B. All student evaluations will be included for each semester, including the current academic year. Faculty member is encouraged to write a comprehensive reflection on these student evaluations each semester that highlights themes, challenges, changes, and growth.						
C. Faculty member course evaluations will be provided to you within two weeks after the end of the semester.						
D. Faculty member is encouraged to include classroom observation summaries with their portfolio. Summaries may be completed by their supervisor or any tenured faculty member within college community. Observations may include: i) Accreditation/industry classroom/laboratory observations, ii) Mentorship classroom/laboratory observations.						
III. Evidence of professional growth A. Current resume						
B. Campus involvement - other involvement besides teaching and curriculum development (non-teaching). List terms of membership on committees for verification purposes.						
C. Professional activities: Please list events and accomplishments – original certificates or photocopies, correspondence, etc. as evidence within the last 5 years.						
D. Degree/Certifications/Licensures -If applicable: CTE Certification, evidence of degree progress						
E. Statement of professional goals including short- and long-term goals						
F. Other						
Comments						

Name: _____

6th Year Review

Date _____

Criteria					
I. Most recent performance appraisal Inclusion of all previous .	2022-23	2021-22	2020-21	2019-20	
II. Student evaluation summary sheets including comments A. Evaluations are to be obtained utilizing the most current standardized forms and accompanying procedures					
B. All student evaluations will be included for each semester, including the current academic year. Faculty member is encouraged to write a comprehensive reflection on these student evaluations each semester that highlights themes, challenges, changes, and growth.					
C. Faculty member course evaluations will be provided to you within two weeks after the end of the semester.					
D. Faculty member is encouraged to include classroom observation summaries with their portfolio. Summaries may be completed by their supervisor or any tenured faculty member within college community. Observations may include: i) Accreditation/industry classroom/laboratory observations, ii) Mentorship classroom/laboratory observations.					
III. Evidence of professional growth A. Current resume					
B. Campus involvement - other involvement besides teaching and curriculum development (non-teaching). List terms of membership on committees for verification purposes.					
C. Professional activities: Please list events and accomplishments – original certificates or photocopies, correspondence, etc. as evidence within the last 5 years.					
D. Degree/Certifications/Licensures -If applicable: CTE Certification, evidence of degree progress					
E. Statement of professional goals including short- and long-term goals					
F. Other					
Comments					

Criteria	
I. Performance appraisal from applicable institutions – Inclusion of all previous complete performance appraisals and/or other documentation providing an assessment of the candidate's performance	
II. Student evaluation summary sheets including comments A. Evaluations are to be obtained utilizing the most current standardized forms and accompanying procedures. B. All student evaluations will be included for each semester, including the current academic year. Faculty member is encouraged to write a comprehensive reflection on these student evaluations each semester that highlights themes, challenges, changes, and growth. C. The faculty member is encouraged to include classroom observation summaries with their portfolio, if applicable. These summaries may be completed by their supervisor or any tenured faculty member within the college community. Observations may also include: i. Accreditation/industry classroom/laboratory observations ii. Mentorship classroom/laboratory observations	
III. Evidence of professional growth A. Current resume	
B. Campus involvement – other involvement besides teaching and curriculum development (non-teaching). List terms of membership on committees for verification purposes.	
C. Professional activities: Please list events and accomplishments – original certificates or photocopies, correspondence, etc. as evidence within the last 5 years.	
D. Degree/Certifications/Licensures -If applicable: CTE Certification, evidence of degree progress	
E. Statement of professional goals including short- and long-term goals	
F. Other	
IV. Other supporting information	
A. Documentation, including two letters of recommendation, from both previous and current teaching experiences	

B. Documentation of tenure status awarded at other institution(s), if applicable	
C. Evidence listing classes and credits taught by semester	
D. Any additional information to support your request	
Comments	

Updated 9/26/2022

Tenure

What is the purpose of tenure of your institution?

Tenure is used at WSC for ranking faculty. New faculty are hired as Instructor, and after four years, are eligible to apply for tenure, progressing into Assistant Professor, Associate Professor, and then full Professor.

How does tenure support the mission and vision of your institution?

WSC's mission is to "provide accessible, affordable, life-changing, and life-long educational pathways..." The tenure process helps to ensure that WSC has the best faculty in the classroom to make a 'life-changing' impact on students.

Post-tenure

Does your institution have a post-tenure review/evaluation process that is distinct from the annual review process?

No

Policy/Procedure/Suggestions

What suggestions do you have to improve the tenure/post-tenure process at your institution?

I find the faculty review process for tenure and non-tenure faculty at WSC adequate for evaluation purposes.

What suggested edits do you recommend to SBHE Policy and NDUS Procedure related to tenure?

I have no recommendations for change in these policies. I feel they give the Campus Leadership the ability to terminate tenured faculty if they perform in a manner that is deemed illegal, unethical or inappropriate whereby the institution, it's employees, or students are harmed.



Faculty Ranking Procedure (Tenure and Promotion)

1. Faculty are notified by the President of Williston State College, with the assistance of the Director for Human Resources, if they are eligible for tenure/rank promotion by September 15th. It is then the faculty member's responsibility to present their application by the deadline. Failure to prepare the application portfolio shall be interpreted as a disinterest in tenure/rank promotion.
2. Faculty complete an application portfolio according to the guidelines below and submit it, along with a letter of application, to the Human Resources office by January 15th.
3. The Human Resources office shall notify the committee of submitted portfolios the next work day after January 15th.
4. The chair of the Faculty Ranking Committee will convene a meeting to review all portfolios presented. Minutes shall be taken at the meeting which reflect appropriate documentation regarding the results of each portfolio presented.
 - a. The committee may ask any applicant to supplement additional materials when appropriate and may take other reasonable steps to assure it has an adequate basis from which to make its recommendation.
5. The committee shall make a determination by majority vote as to whether each candidate fulfills the criteria for tenure/rank promotion.
 - a. In the case of an applicant being denied tenure, the committee shall immediately review the application for the rank of Associate Professor, which may be awarded without tenure status.
 - b. In case of unsatisfactory determination by the committee, the applicant shall have the right to request an appearance before the committee to speak on his/her behalf for reconsideration.
6. The Faculty Ranking Committee Chair should present the decisions of the committee, via official email, to the Faculty Senate President, the Vice President for Academic Affairs, the Director for Human Resources and the College President by February 15th.
7. If the College President accepts the committee's recommendation(s), the College President, the Vice President for Academic Affairs, and the Director for Human Resources will complete appropriate internal documentation for promotion and external documentation according to the guidelines provided by the State Board of Higher Education by March 15th (this date can vary yearly depending on SBHE agenda).
8. The College President shall inform each applicant of the final decision regarding their application.
9. Once the review and/or appeals process has been completed, the faculty member retains the application portfolio and the responsibility for maintaining the portfolio.

Application Portfolio Requirements for Ranks:

1. To apply for the rank of Assistant Professor, the application portfolio shall include:



- a. Evidence of at least four (4) years of service in the rank of Instructor at Williston State College.
 - b. Evidence of professional growth, e.g., professional organizations and activities, research, workshops attended and given, and works published.
 - c. Evidence of college and community involvement, e.g., activities and volunteer efforts which result in positive publicity and recognition for the faculty member and the College.
2. To apply for the rank of Associate Professor, the application portfolio shall include:
 - a. Evidence of at least four (4) years of service in the rank of Assistant Professor at Williston State College.
 - b. Evidence of professional growth, e.g., professional organizations and activities, research, workshops attended and given, and works published.
 - c. Evidence of college and community involvement, e.g., activities and volunteer efforts which result in positive publicity and recognition for the faculty member and the College.
3. To apply for the rank of Professor, the application portfolio shall include:
 - a. Evidence of at least five (5) years of service in the rank of Associate Professor at Williston State College and evidence of a minimum of 15 graduate level credits of relevant coursework beyond the requirements for the applicant's current position.
 - b. Evidence of professional growth, e.g., professional organizations and activities, research, workshops attended and given, and works published.
 - c. Evidence of college and community involvement, e.g., activities and volunteer efforts which result in positive publicity and recognition for the faculty member and the College.

Application Portfolio Requirements for Tenure:

1. The North Dakota State Board of Higher Education retains unto itself the final and absolute authority to grant tenure. To assist in this decision, the Board takes into consideration the recommendations of the institution's faculty and the endorsement of the institution's President.
2. Williston State College's policy covering tenure improves the quality of the faculty by requiring that each faculty member's performance be carefully scrutinized before tenure is granted.
3. The application portfolio shall include all of the following:
 - a. **Evidence of at least five years of tenure-track service at Williston State College.** The College President may award tenure credit prior to hire (not to exceed three years) towards this requirement based on previous professional experience from a different institution and/or a previous non-tenure-track instructional position at Williston State College. This information shall be provided in the letter of application.
 - b. **Evidence of College Service.** This section shall contain evidence of the applicant's activity in college-level groups and committees and evaluations (both administrative and student/course) for at least the past five (5) years. If any of these are not available to be included, the reason why shall be noted within the application portfolio.



- c. **Evidence of Professional Growth.** This section shall contain evidence of the applicant's instructional improvement. It shall include documentation of the applicant's teaching philosophy and goals. It can include a resume/vita and contain activity in professional organizations and activities, workshops and conferences, research and works published.
 - d. **Evidence of Community Involvement.** This section shall contain evidence of the applicant's activities in the community which result in positive publicity and recognition for the faculty member and the College. This can include community memberships and volunteer efforts.
 - e. **Additional Materials (optional).** This section shall contain any additional materials not covered above which the applicant feels will strengthen their application for tenure.
4. The Faculty Ranking Committee shall review each applicant's application portfolio for tenure individually and evaluate each on the following criteria:
 - a. 80% College Service (50% evaluations and 30% College activities)
 - b. 10% Professional growth
 - c. 10% Community Involvement.
 5. Granting of tenure status by the State Board of Higher Education will also award the applicant with the rank of Associate Professor at Williston State College.

Procedure updated and approved by Faculty Senate: March 20, 2018

Procedure updated and approved by Faculty Council: April 20, 2018

Procedure updated and approved by VPAA: