

North Dakota State Board of Higher Education

October 18, 2023, Academic and Student Affairs Committee Meeting Minutes

The State Board of Higher Education Academic and Student Affairs Committee will meet on October 18th at 9:30 a.m. CT, via Teams.

State Board of Higher Education Members:

- ☒ John Warford, SBHE Committee Chair
- ☒ Curtis Biller, SBHE Committee Member
- ☒ Kevin Black, SBHE Committee Member
- ☒ Ms. Sadie Hanson, SBHE Student Representative
- ☒ Lisa Montplaisir, SBHE Faculty Advisor

Colleges and Universities:

DCB – Dean Simone

LRSC – Lloyd Halvorson

NDSCS – Lisa Karsh

VCSU – Larry Brooks

DSU – President Easton

MaSU – Brian Huschle

NDSU – Laura Oster-Aaland

WSC – President Hirning

UND – Eric Link

MiSU – Laurie Geller

North Dakota University System Office

Mark Hagerott, Chancellor

Lisa Johnson, Vice Chancellor of Academic and Student Affairs

Claire Gunwall, Director of Academic Affairs and Workforce Innovation

Mark Gorenflo, Chief of Staff

Meredith Larson, Assistant Attorney General

Committee Chair Warford called the meeting to order at 9:30.

1. **Agenda**

And,

2. **Meeting Minutes**

Black moved, Biller seconded, to approve the agenda and September 20, 2023, meeting minutes, as presented.

Black, Biller, Hanson, and Warford voted yes. Motion passed.

3. **2024 – 2025 Proposed TrainND Business Plan**

Director of the Northeast Region of TrainND, Mr. Steffen, reviewed and proposed the 2024-2025 TrainND Business Plan. The committee had no concerns; however, noted that going forward, the Board will be discussing how to increase funding for TrainND.

Black moved, Biller seconded, to recommend approval of the TrainND Business Plan, as presented.

Biller, Black, Hanson, and Warford voted yes. Motion passed.

4. **400 Series Policies**

Vice Chancellor Johnson reviewed the following SBHE Policies from the 400 series (400s: Academic Affairs).

- 403.1.2 Institutional Instructional Program Evaluation
 - o Delete
- 403.2 Course Inventories and Titles
 - o Delete
- 403.6 Course Challenges and Prior Learning Credit
 - o Delete
- 403.8 Major and Minor Equivalency
 - o Delete
- 403.9 Developmental Courses
 - o Delete
- 405.1 Student Teaching Field Experience
 - o Delete
- 406 Academic Calendars
 - o Substantive change
 - o Require standard time blocks for classes
- 406.2 Class Start Times
 - o Delete
- 410.0 Responsible Conduct of Research
 - o Renumber to 410, no other changes
- 412 Transfer of Credits
 - o Substantive change
 - o Require that institution must be recognized by the US Department of Education to transfer credits
- 430.1 Honorary Degrees
 - o Renumber to 430, no other changes
 - o Periodic review
- 430.2 Emeritus Status
 - o Renumber to 431, no other changes
- 430.3 Posthumous Degrees
 - o Renumber to 423, no other changes
 - o Periodic review
- 441 Degree Credit, Non-Degree Credit and Non-Credit Instructional Activity
 - o Substantive change
 - o Incorporate deleted Policies 403.2, 403.6, 403.8, 403.9, 405.1
 - o Incorporate deleted Procedure 441
- 450 Institutional Reports, Catalogs, Bulletins
 - o Delete
- 460 Transfer and Test Credit Agreement
 - o Substantive change
 - o Clarifying definitions

Due to the number of policies, Vice Chancellor Johnson recommended 1st reading to allow additional time, prior to 2nd reading and final approval. Member Biller agreed and would like more time to review the policies, specifically 441.

Biller moved, Black seconded, to recommend 1st reading of proposed 400 SBHE policies, as presented.

Black, Biller, Hanson, and Warford voted yes. Motion passed.

5. **600 Series Policies**

Vice Chancellor Johnson reviewed the following SBHE Policies from the 600 series (600s: Personnel).

Vice Chancellor Johnson reviewed proposed amendments to the following SBHE Policies:

- 610 Oath for Teachers
 - No substantive change
 - Periodic review
- 611.2 Employee Responsibility and Activities: Intellectual Property
 - No substantive change
 - Periodic review
- 611.6 Confidential Proprietary Information
 - Substantive change
 - Adding caveats and statutory language
 - Periodic review
- 611.8 Employee Responsibility and Activities: Research on Human Subjects
 - No substantive change
 - Periodic review
- 611.9 Selection of Textbooks and Other Curricular Materials
 - No substantive change
 - Periodic review

Black moved, Hanson seconded, to recommend 1st reading of proposed 600 SBHE policies, as presented.

Hanson, Black, Biller, and Warford voted yes. Motion passed.

6. **2022-2023 Annual Report**

Mr. David Steffen, NE Region TrainND Director, provided the committee with the 2022-2023 TrainND Annual Report. The committee had no concerns.

7. **UND/NDSU Faculty Export Controls**

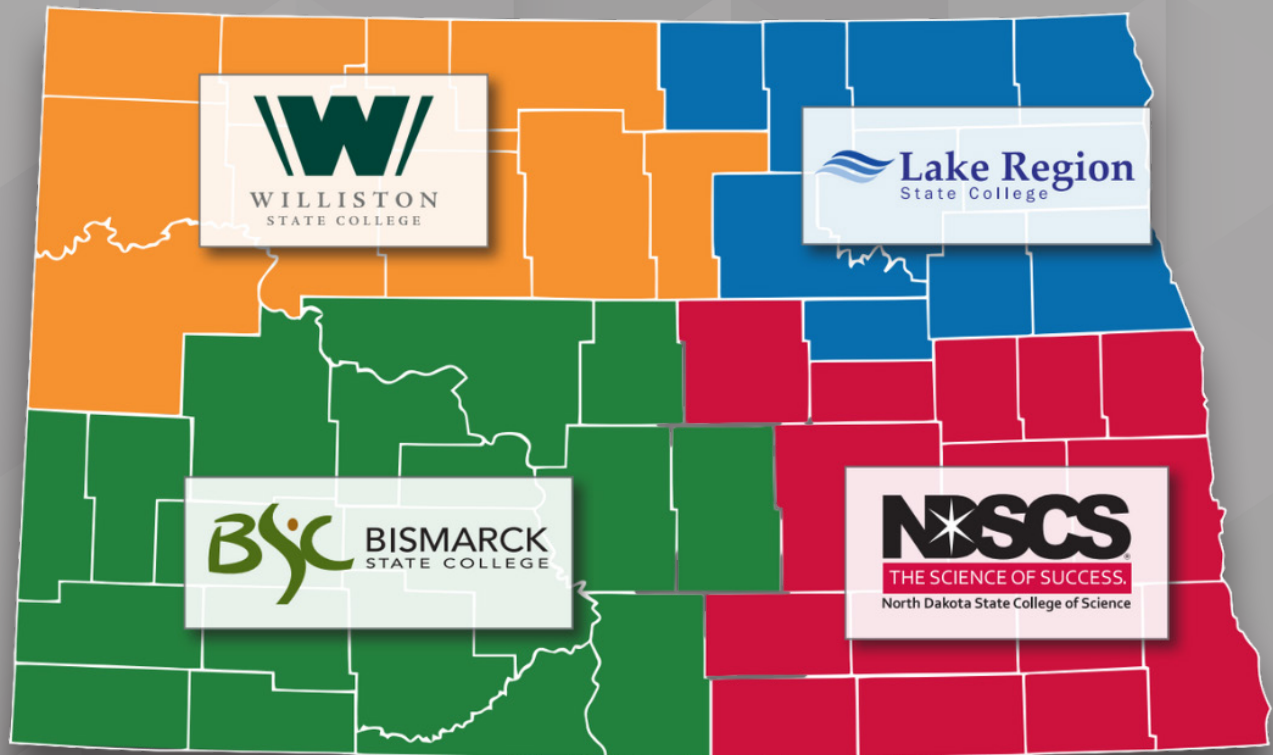
David Steffen (LRSC), Heather Wages and Amy Vein (UND), Tabitha Thomas, Kristy Shirley, Valrey Kettner, and Neely Benton (NDSU), provided an overview of how international (non-US) faculty are vetted at the state and campus level. The representatives reviewed the various immigrant status/visas/green cards, and the robust process that is in place that includes complying with the Department of Labor guidelines. There is additional information on campus websites.

The meeting adjourned at 10:40 a.m. CT.

Approved November 15, 2023.

BUSINESS PLAN

Fiscal Years
2024 & 2025



trainND

[It's a competitive world. Train for it.]

TrainND provides training for North Dakota business and industry, enhancing their ability to compete globally.

FOUNDATION

TrainND is the state's most comprehensive and inclusive training network. TrainND resulted from a 31-member statewide task force on workforce development and training formed in 1998 to research "best practices" in other states and to design a more effective workforce training system in North Dakota. This initiative was coordinated by the Greater North Dakota Chamber of Commerce in 1998. These recommendations were enacted into legislation during the 1999 session. House Bill 1443 was passed, setting the stage for North Dakota to develop a world-class workforce training system.

TrainND expands opportunities in North Dakota by training employees to achieve more for themselves and their employers. Four regions cooperate with four community colleges to ensure coverage for all of North Dakota's current workforce needs.

The key components include:

1. Establishment of four service regions within the state.
2. Designation of workforce training to four two-year colleges in the North Dakota University System.
3. Establishment of local advisory boards.
4. Financial support from state funds, institution support, and training fees.
5. Development of collaborative relationships.

Three TrainND Summits have been held to re-evaluate the effectiveness of the four TrainND Regions operating model in meeting the needs of North Dakota Businesses. These meetings were held in 2004, 2010 and 2014 with key stakeholders throughout North Dakota. While the original TrainND model was solid, the following recommendations were made:

- Raise awareness of TrainND Services through social media tools and technologies
- Develop stronger relationships with the business community
- Expand training services throughout the state
- Obtain training equipment and software to deliver effective training
- Leverage current training results and strengthen TrainND's personnel to identify/develop skill shortages for existing and new companies

VALUE STATEMENT

Timely – Provided **WHEN** our customers need it

Relevant – Designed for **WHAT** our customers need

Adaptable – Customized to **SUIT** our clients

Innovative – Developed with **CURRENT** trends in mind

National – Recognized **CERTIFICATIONS** and credentials

Network – Partner to **COLLABORATE** efficiently

Dependable – Committed to **RESPOND** promptly

FINANCIAL HISTORY AND PROJECTIONS

A financial history for TrainND activity in FY 2021, 2022 and 2023 is provided on the following spreadsheet. TrainND has also provided the financial projections for FY 2024 and 2025.

The four TrainND Regions collectively delivered over \$4,967,505 in training to individuals and businesses in the state during Fiscal Year 2023. Comparing direct training revenue to state aid, TrainND earns approximately \$4.96 for every dollar provided by the Legislature. This return on the state investment reflects the quality training developed and delivered throughout the state. Employee training and education has a direct impact on employee confidence, safety, and overall business productivity.

State allocated funds are currently divided by region with half of the funding split equally and the other half by the number of employees in each region. Job Service provides this information based on reference period 2022 Annual Averages from the Quarterly Census of Employment and Wages Program Report.

Both state appropriations and net margin are used to pay for costs that are non-billable to the client. Such costs include program management, support staff, outreach to potential new clients, awareness building, new initiatives, and office supplies.

Operational expenses total \$2,641,426 for Fiscal Year 2023. These expenses include marketing, travel, office operations, professional development, and new initiatives. Total Direct Training Expenditures were \$1,667,498 and include all costs associated directly to the delivery of training. These items include books, supplies, trainer salaries, food, etc. Salaries for the four regions totaled \$3,489,379 for Fiscal Year 2023. This line item includes all salaries and benefits for full time staff. There are a total of 41.6 FTE for the four regions.

Funds listed under net results for the future investments can include grant dollars received that fiscal year, but not spent. Many times, grant dollar expenses cross several fiscal years. These dollars are often used to enhance programs such as provide software, to upgrade equipment, and to invest in professional development.

Of great value are the in-kind services provided by the four community colleges charged with operating the TrainND regions in the state. These institutions provide physical space, utilities, and equipment for both office and training activities. Leadership is provided by the College President, along with indirect services provided by payroll, business offices, plant services, and others too numerous to mention. For FY 21, 22 and 23 the total amount of indirect services is \$1,854,207.

The original working model (HB 1443) adopted in 1999 outlines funding comprised from the following areas: Training, State Legislative funds, and Business Donations (equipment, cash, etc.). Legislative funds are allocated to pay for infrastructure, awareness of services, additional employees, and the cost to continue workforce training

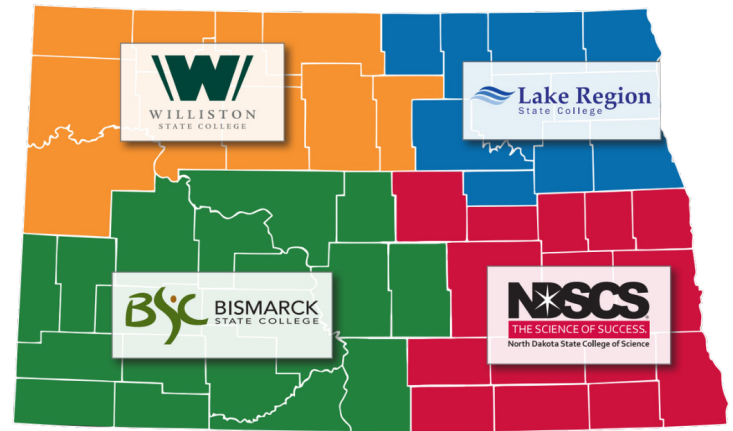
services. Business and industry are to pay for their employee training programs. Businesses have donated equipment, cash, and services to assist TrainND with specific types of training.

- In FY 23, Direct Training Revenue accounts for 64.5% (\$4,967,505) of the total funding, and increased 12.7% over FY22.
- In FY 23, State legislative funds account for 13% (\$1,000,000) of the total funding.
- In FY 23, other funding sources, community/regional funds, and grants account for 24.5% (\$1,976,869) of the total funding.
- In FY 23 the four community colleges provided in-kind services for office space, training rooms, IT support, business office support, etc. that amounts to \$601,641.

Fiscal Year 2024 and 2025 Projections

- Training revenue projections have been forecasted to increase by 7% and 9% respectively over the next two fiscal years, economic uncertainty remains even as inflation has eased, and job growth has remained steady.
- Expenses are expected to continue to increase through FY2024. The 2023-25 biennium compensation adjustments for permanent state employees are to average 6% for FY2024 and 4% for FY2025.

- The base allocation of State General Funds is projected to hold steady through FY2025. The sixty-eighth legislative assembly of North Dakota added State General Funds to cover a portion of the compensation increases for full-time TrainND staff for FY2024 and FY2025.



FY 2021-2025 Statement of Revenues, Expenses and Funding Sources					
	Actual FY 2021	Actual FY 2022	Actual FY 2023	Budget FY 2024	Budget FY 2025
REVENUES					
Direct Training Revenues	\$3,119,308	\$4,407,856	\$4,967,505	\$5,315,886	\$5,810,231
Community/Regional Funds	\$36,500	\$51,662	\$33,327	\$8,000	\$8,000
Grant Funding	\$381,148	\$498,106	\$1,943,542	\$1,590,715	\$25,000
State General Fund (HB 1003)	\$291,562	\$0	\$0	\$0	\$0
State General Fund (HB 1019)	\$1,000,000	\$1,000,000	\$1,000,000	\$1,250,000	\$1,250,000
Other	\$13,212	\$88,804	\$135,509	\$142,674	\$149,733
Total Revenues	\$4,841,730	\$6,046,428	\$8,079,884	\$8,307,275	\$7,242,964
EXPENDITURES					
Total Direct Training Expenditures	\$1,119,212	\$1,272,813	\$1,667,498	\$1,457,992	\$1,707,655
Total Salaries/Wages and Benefits	\$2,920,885	\$3,210,114	\$3,489,379	\$4,185,404	\$4,383,659
Outreach/Coordination Expenses					
Marketing	\$20,787	\$29,568	\$44,987	\$54,999	\$57,700
Travel	\$15,041	\$49,069	\$54,405	\$63,467	\$66,986
Other Operating Expense	\$337,266	\$448,255	\$472,829	\$466,718	\$483,152
New Initiatives	\$397,849	\$842,167	\$2,057,344	\$2,070,330	\$27,500
Professional Development	\$22,907	\$8,839	\$11,862	\$16,586	\$17,086
Total Operational Expenses	\$793,850	\$1,377,898	\$2,641,426	\$2,674,100	\$652,423
Total Expenditures	\$4,833,947	\$5,860,825	\$7,798,303	\$8,317,497	\$6,743,737
Net Result For Future Investments	\$7,783	\$185,603	\$281,581	(\$10,223)	\$499,227
College In-Kind	\$628,982	\$623,584	\$601,641	\$631,111	\$646,412



GOALS AND STRATEGIES

TrainND Northwest will continue a focus on serving business and industry partners through safety and technical focused workforce training. Our offerings continue to be analyzed and refined through strategic planning which includes industry, community, and staff input. TrainND Northwest will be shifting the bulk of its energies during the next year to focus on expansion and diversification of currently existing programs as well as expansion into the construction trades from a technical training perspective.

Another major focus of TrainND Northwest will be to provide technical training offerings at the state's CTE centers as well as high schools throughout the state. Additionally, the continued build out and diversification of TrainND Northwest's Unmanned Autonomous Systems (UAS) training program will be a focus.

Finally, a sustained effort and partnership with WSC to move all technical training to be available with a for credit option will be a major focus of at TrainND Northwest as well. TrainND Northwest will continue its commitment to offer our high-quality trainings to be responsive to industry need and meet the challenges North Dakota's future workforce needs.

TrainND Northwest Mission Statement:

- TrainND Northwest is North Dakota's premier training facility delivering the highest quality of diverse safety, technical, and professional training for an evolving workforce.

TrainND Northwest Vision Statement:

- Our vision is to leverage our expertise to facilitate the expansion of knowledge, skills, and confidence to empower the achievement of personal and company objectives.

TrainND Northwest Core Values:

- Growing People Through...
 - Excellence
 - Passion
 - Innovation
 - Community

Objectives for FY 2024 and FY 2025:

- Provide training to over **700** regional and state-wide businesses each fiscal year with a minimum **50%** repeat rate
- Train over **8,000** employees (unduplicated count) each fiscal year
- Provide over **70,000** contact hours each fiscal year
- Provide training to High School students at CTE Centers throughout the state

Strategies implemented to accomplish or exceed objectives:

- Serve as marketer, broker, and coordinator of training

programs

- When requested, serve as developer of custom curriculum
- Implement an infrastructure that is supportive to business, industry, and organizations
- Collaborate with stakeholders to promote economic development
- Identify the highest quality trainers and continue to develop and expand their abilities
- Continued refinement of the TrainND Northwest strategic plan
- Expand marketing efforts
- Identify opportunities for innovation
- Expand and diversify services within the region
- Constantly seek partnerships with business and industry in our Region
- Develop leaders within our organization

BUDGET NARRATIVE

Funding sources come from:

- Direct training revenue
- Grant funding
- State general fund
- Other
- WSC in-kind match

TrainND Northwest has emerged from the challenges of the Covid-19 positioned to thrive in an atmosphere that is constantly changing and presenting new challenges. TrainND Northwest has continued to expand and diversify by leveraging grants and its reserve. TrainND Northwest continues to give the state its best return on investment out of the four TrainND regions.

While taking advantage of grants to expand and diversify comes at a cost to its reserve, TrainND Northwest feels this is money well spent. Though our total revenue shows an overall loss, as with previous years, we are net positive when it comes to training revenue. The loss is coming due to the needed matching dollars for grants. Investing matching funds into grants is putting us at an overall net loss. As TrainND Northwest continues to expand and diversify we feel this purpose is an appropriate use of our reserves to build a better workforce for North Dakota.

TrainND Northwest received allocations from the state general fund this biennium through HB1019 during FY 23. From HB 1019, TrainND Northwest will receive a percentage of the funds outlined for the statewide TrainND system (\$2,000,000). TrainND Northwest's portion is \$387,282 for the biennium. Additionally, TrainND Northwest will receive an extra \$134,451.46 from HB 1019 to help cover the cost of the 6% legislative raise for FY 24. TrainND Northwest also has received funding from 2 major grants. TrainND Northwest was awarded an EDA grant of 2.3 million dollars to be focused on TrainND

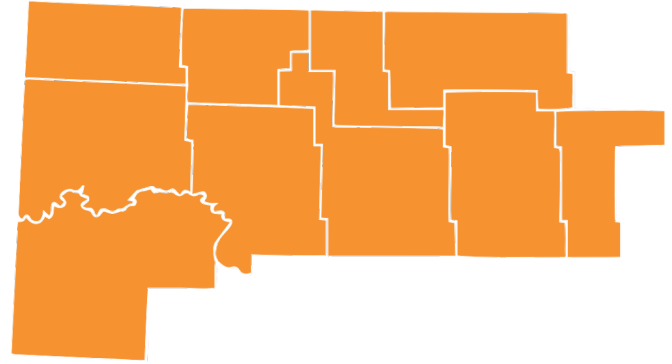
Northwest's CDL and Crane programs. Additionally, in the previous biennium TrainND Northwest received \$1 million (100% match required) from the legislature to establish a UAS training program. During fiscal year 2023 TrainND Northwest used these funds to upgrade, expand, and establish the programs the grants were meant to impact. These grants will continue to be used and will be completed during FY24.

TrainND Northwest has 9.75 FTE staff positions and 9 FTE trainer positions. Due to the demand of the oil and gas industry, with the various training certifications needed full time trainer positions are required to meet industry training needs. Additionally, the number of students seen each year requires a relatively large staff to support training and students.

TrainND Northwest generates revenue that is classified as "other" through room rentals, the rental of restaurant space on the training campus, flying UAS missions in conjunction with training, and training equipment rentals. TrainND Northwest continues to look for opportunities to meet the needs of the Northwest region and state of North Dakota in

providing space, training equipment rentals, and value-added services.

Williston State College contributes in-kind services to TrainND Northwest in the following ways: business office support, human resources support, and security services.



FY 2021-2025 Statement of Revenues, Expenses and Funding Sources

	Actual FY 2021	Actual FY 2022	Actual FY 2023	Budget FY 2024	Budget FY 2025
REVENUES					
Direct Training Revenues	\$1,585,630	\$2,374,987	\$2,611,206	\$2,741,767	\$2,878,855
Community/Regional Funds	\$0	\$0	\$0	\$0	\$0
Grant Funding	\$159,148	\$415,000	\$1,357,285	\$1,573,715	\$0
State General Fund (HB 1003)	\$291,562	\$0	\$0	\$0	\$0
State General Fund (HB 1019)	\$204,280	\$193,641	\$193,641	\$304,786	\$304,786
Other	\$13,212	\$88,137	\$134,451	\$141,174	\$148,233
Total Revenues	\$2,253,832	\$3,071,765	\$4,296,583	\$4,761,442	\$3,331,874
EXPENDITURES					
Total Direct Training Expenditures	\$470,957	\$420,647	\$578,966	\$607,914	\$638,310
Total Salaries/Wages and Benefits	\$1,551,704	\$1,692,374	\$1,785,877	\$1,875,171	\$1,968,930
Outreach/Coordination Expenses					
Marketing	\$13,533	\$6,497	\$29,022	\$30,473	\$31,997
Travel	\$13,876	\$41,409	\$47,467	\$49,840	\$52,332
Other Operating Expense	\$234,434	\$302,199	\$287,703	\$292,050	\$297,353
New Initiatives	\$197,849	\$779,061	\$1,665,837	\$2,065,330	\$20,000
Professional Development	\$15,895	\$3,018	\$8,790	\$9,229	\$9,691
Total Operational Expenses	\$475,587	\$1,132,184	\$2,038,819	\$2,446,922	\$411,373
Total Expenditures	\$2,498,248	\$3,245,205	\$4,403,662	\$4,930,007	\$3,018,612
Net Result For Future Investments	(\$244,416)	(\$173,439)	(\$107,078)	(\$168,565)	\$313,262
WSC In-Kind	\$57,000	\$20,000	\$20,000	\$20,000	\$20,000

GOALS AND STRATEGIES

The goals, objectives, and strategies are created through a team effort, approved by the executive team, and adopted by the Advisory Board. The performance objectives are reported and measured annually to determine if the strategies are producing the desired results. By executing the strategies, TrainND Northeast can fulfill its mission as set forth by legislation, facilitate economic development of the region, build long-term relationships, and position itself to sustain the vision of an efficient workforce training system.

Goal: To deliver innovative, cost-effective, results-oriented, workforce training and services for the businesses and industries in the Northeast region.

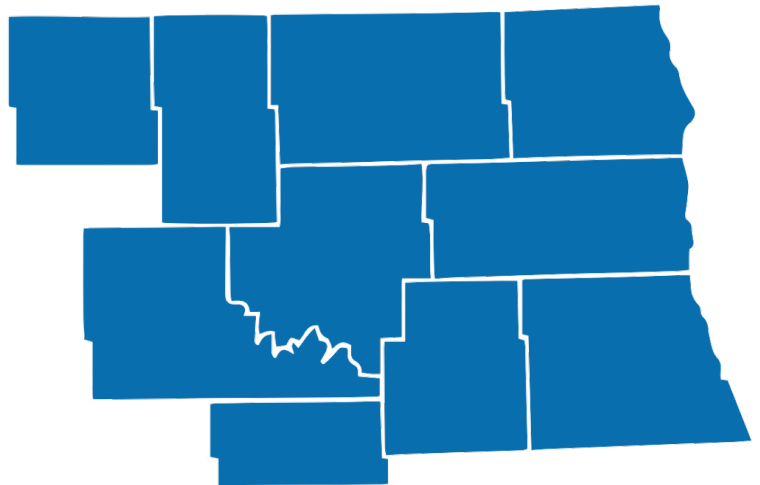
Objectives for FY 2024:

- Provide training to **100** businesses each fiscal year with minimum of 45% repeat rate.
- Train **2,000** employees (unduplicated head count each fiscal year).
- Provide **14,000** contact hours each fiscal year.
- Strive to obtain a client satisfaction rating of **100%**.
- Meet budgeted training revenues as outlined in the TrainND Business Plan.

Strategies to be implemented in order to meet and exceed objectives:

- Expand outreach and sales efforts, with particular emphasis on the northwest part of our region.
- Develop an annual marketing plan.
- Become an extension of our clients' human resources and training departments; using client needs assessments to determine fits for training.
- Continue to develop and offer expanded training programming in the areas of Wind Energy and Healthcare, with a focus on stackable credentials to support workforce needs.
- Based on the success of the FY23 pilot program, Correctional Officer Basic training, continue offering the programming in collaboration with LRSC Peace Officer Training Program at all academy locations.
- Expand outreach to prospective businesses who would benefit from non-credit healthcare apprenticeships.
- Maintain number of soft skill open enrollment trainings at four annually.
- Direct market contract training as appropriate from prospects gained from soft skill open enrollment.

- Investigate adding part-time outreach resource(s) in the Grand Forks part of the region.
- Leverage curriculum and seek instructional expertise from Lake Region State College (LRSC) to expand training offerings.
- Continual improvement to current training delivery methods to enhance learning and reach.
- Continue expanding our trainer and facilitators portfolios of expertise.
- Collaborate with other TrainND regions to expand training offerings and meet regional needs.
- Research, evaluate, and invest in new training initiatives to strengthen the workforce.
- Continuous improvement to administrative processes.



BUDGET NARRATIVE

Funding sources for TrainND Northeast come from direct training revenue, state allocated dollars, and institutional in-kind funds.

Direct training revenue for FY23 was approximately 17% higher than FY22, net profit increased from 6.4% to 11%. Direct training expenses increased by roughly 2.5% from FY22 to FY23, which may be attributed in part to inflation and slightly unfavorable product mix having higher direct costs in FY22. TrainND Northeast anticipates a 6% increase in salaries/wages and benefit expense for full-time staff during FY24, followed by an appropriated 4% increase in FY25. Compensation for instructors is projected to increase by roughly the same amount as for full-time staff. To maintain operating

margins during the upcoming biennium we decreased staff by .19 FTE, and increased training prices by 5 - 12%.

Lake Region State College continues to support the efforts of TrainND Northeast by providing indirect services including President and Vice President of Academic and Student Affairs time, Administrative Services support, office space & utilities, meeting rooms, classrooms, lab equipment, human resources, IT support, security, and plant services. The LRSC in-kind amount is calculated based on LRSC's authorized federal indirect rate.

TrainND Northeast has FTE 3.00 staff positions and .19 FTE trainer positions.

FY 2021-2025 Statement of Revenues, Expenses and Funding Sources

	Actual FY 2021	Actual FY 2022	Actual FY 2023	Budget FY 2024	Budget FY 2025
REVENUES					
Direct Training Revenues	\$232,057	\$241,675	\$284,418	\$300,000	\$315,000
Community/Regional Funds	\$0	\$0	\$0	\$0	\$0
Grant Funding	\$0	\$20,874	\$0	\$0	\$0
State General Fund (HB 1019)	\$155,550	\$154,281	\$154,281	\$173,167	\$173,167
Other	\$0	\$667	\$1,058	\$1,500	\$1,500
Total Revenues	\$387,607	\$417,497	\$439,757	\$474,667	\$489,667
EXPENDITURES					
Total Direct Training Expenditures	\$106,180	\$85,366	\$107,379	\$115,033	\$127,402
Total Salaries/Wages and Benefits	\$218,711	\$285,628	\$283,588	\$303,262	\$313,619
Outreach/Coordination Expenses					
Marketing	\$0	\$1,611	\$582	\$3,000	\$3,500
Travel	\$83	\$273	\$429	\$4,500	\$4,500
Other Operating Expense	\$11,333	\$7,798	\$14,130	\$15,000	\$15,750
New Initiatives	\$0	\$20,874	\$2,250	\$2,500	\$2,500
Professional Development	\$0	\$445	\$150	\$2,500	\$2,500
Total Operational Expenses	\$11,416	\$31,001	\$17,541	\$27,500	\$28,750
Total Expenditures	\$336,307	\$401,995	\$408,508	\$445,795	\$469,771
Net Result For Future Investments	\$51,300	\$15,502	\$31,249	\$28,872	\$19,896
LRSC In-Kind	\$88,768	\$99,970	\$99,256	\$106,142	\$109,767

GOALS AND STRATEGIES

TrainND Southeast through its Advisory Board, business partnerships and long-term training resource relationships will continue its focus to deliver training, awareness and expansion of services provided to business and industry. TrainND Southeast is continuously active in developing and working on new offerings to better serve our customers with their training needs and key initiatives.

Every business and organization is different, with distinctive processes, singular needs and unique objectives. One-size-fits-all training just won't cut it. TrainND Southeast offers open enrollment courses and customized programs for nearly every industry. More importantly, we make the training fit the organizations and its needs, not the other way around.

TrainND plays an important role in meeting both the workforce and business & industry needs where they are at, and where they are planning to go. The shift in thinking from training being an expense to training being an economic investment is key.

Key elements:

- Train at NDSCS-Wahpeton, NDSCS-Fargo, the client's site or virtual/online.
- Customize every program to address the specific challenges and needs.
- Tailor courseware to deliver only topics selected and essential for the training outcomes.
- Maximize cost effectiveness by training on multiple topics in a single program.
- Deliver private training on any of the topics regularly offered.

TrainND Southeast offers online learning through our training facilitators delivering the programs and courses virtually as well as partnerships with ed2go and UGotClass. This learning method provides employers with flexibility and access to training when the traditional face-to-face delivery model isn't as conducive for a variety of reasons. Both the virtual and in-person delivery options provide high-impact, real-world training that develops their leaders, retains their best people and grows their customer loyalty.

The CDL Truck Driving program continues to be in demand and the expansion within our CNA Program fills the in-demand occupations needs across our region and state as well. Professional development, computer and technical training include proven, time-tested

content from Blanchard, e.g., Blanchard Management Essentials®, SLII Concepts®, Coaching Essentials® and Conversational Capacity® - as well as custom CNC Machinist Operator Training, Leading with Emotional Intelligence, and leadership training opportunities for new and emerging leaders within business and industry.

Objectives for FY 2024:

- Provide training to over 300 regional businesses each fiscal year with 45% repeat rate
- Train 1,200 employees (unduplicated headcount) each fiscal year
- Provide 40,000 contact hours each year
- Maintain a client satisfaction rate of 98%
- Meet budgeted training revenues as outlined in the TrainND Business Plan

Strategies to be implemented in order to accomplish the objectives:

- Partner with business and industry to address essential and occupational skill gaps in our region as well as to educate and reskill their existing workforce.
- Work together with business and industry to promote economic development.
- Collaborate with other TrainND regions to expand training offerings and deliver solutions that all benefit from across the state.
- Continue creating awareness of training services across the region.
- Research and invest in curriculum development for in-demand skills.
- Provide sales and marketing services to deliver quality training programs.
- Expand our region outreach and sales efforts.
- Maintain an inventory of qualified trainers and facilitators with areas of expertise.
- Develop and promote a culture of lifelong learning for all current and future workers.
- Provide training for business and industry to compete globally.

BUDGET NARRATIVE

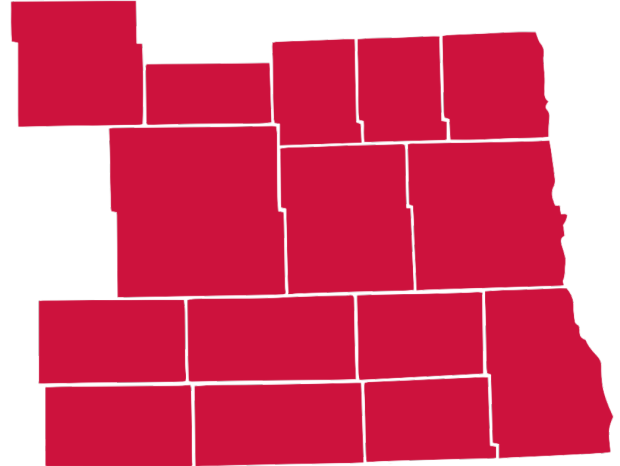
Funding sources for TrainND Southeast come from direct training revenue, state allocated dollars, institutional in-kind funds.

North Dakota State College of Science contributes to the division by providing a projected 30% in-kind support. In-kind support consists of indirect services including human resources, payroll, security, IT support, as well as plant services such as maintenance, parking, snow removal, etc. Additional support is provided by the NDSCS President. TrainND Southeast is actively seeking grant opportunities to expand programming in high demand occupation career paths.

TrainND Southeast anticipates a continued growth in its direct training revenue with increased face-to-face and customized training activities. The increase in training revenue is based on a rise in training activities through all delivery methods, additional professional development/leadership training opportunities, CDL

Truck Driving Program, CNA partnerships established and continued investment in programs and sales positions.

TrainND Southeast has 8.0 FTE staff positions and 2.5 FTE trainer positions.



FY 2021-2025 Statement of Revenues, Expenses and Funding Sources

	Actual FY 2021	Actual FY 2022	Actual FY 2023	Budget FY 2024	Budget FY 2025
REVENUES					
Direct Training Revenues	\$450,491	\$706,246	\$872,903	\$916,548	\$962,376
Community/Regional Funds	\$36,500	\$38,000	\$13,000	\$8,000	\$8,000
Grant Funding	\$22,000	\$20,000	\$170,000	\$0	\$0
State General Fund (HB 1019)	\$385,480	\$394,610	\$394,610	\$454,274	\$454,274
Other	\$0	\$0	\$0	\$0	\$0
Total Revenues	\$894,471	\$1,158,856	\$1,450,513	\$1,378,822	\$1,424,650
EXPENDITURES					
Total Direct Training Expenditures	\$235,889	\$376,324	\$487,023	\$511,374	\$536,943
Total Salaries/Wages and Benefits	\$423,768	\$495,371	\$547,964	\$580,842	\$604,076
Outreach/Coordination Expenses					
Marketing	\$6,435	\$7,274	\$3,813	\$4,003	\$4,203
Travel	\$721	\$1,472	\$3,768	\$3,956	\$4,154
Other Operating Expense	\$83,962	\$120,040	\$141,541	\$148,618	\$156,049
New Initiatives	\$0	\$0	\$0	\$0	\$0
Professional Development	\$5,459	\$2,134	\$721	\$757	\$795
Total Operational Expenses	\$96,577	\$130,920	\$149,843	\$157,334	\$165,201
Total Expenditures	\$756,234	\$1,002,615	\$1,184,830	\$1,249,550	\$1,306,220
Net Result For Future Investments	\$138,237	\$156,241	\$265,683	\$129,271	\$118,429
NDSCS In-Kind	\$127,130	\$142,611	\$164,389	\$174,253	\$181,223

GOALS AND STRATEGIES

The goals, objectives, and strategies for TrainND Southwest are created as a cooperative process with our advisory board, industry partners, and Bismarck State College. The goals are collected, measured, and reported annually to our advisory board, the NDUS and the Career and Technical Education office. Through this process, TrainND Southwest adapts and expands programming to fit the needs of the region.

In the age of constant change, TrainND Southwest responds quickly to industry needs for workforce training and development by providing flexible, adaptable, and short-term training in high-demand occupations. The Southwest Region provides custom, contract training for organizations seeking to upskill or reskill employees to meet an ever-changing economy through corporate and industry training programs. TrainND Southwest also offers individual training opportunities through open enrollment career pathway programs and online self-paced courses available on-demand.

Due to the continued pressure on workforce shortages, TrainND Southwest continues to work with industry partners for upstarting programs that help fill skill gaps in our community and region. As we move forward, TrainND Southwest will fulfill its mission by enabling all citizens to engage in lifelong learning and high-quality skill attainment.

Objectives for FY 2024:

- Provide training to 300 businesses with a repeat rate of 40%.
- Train 3,000 employees (unduplicated head count).
- Provide 70,000 contact hours.
- Maintain a client satisfaction rate of 98%.
- Meet budget training revenues as outlined by the TrainND Business Plan.

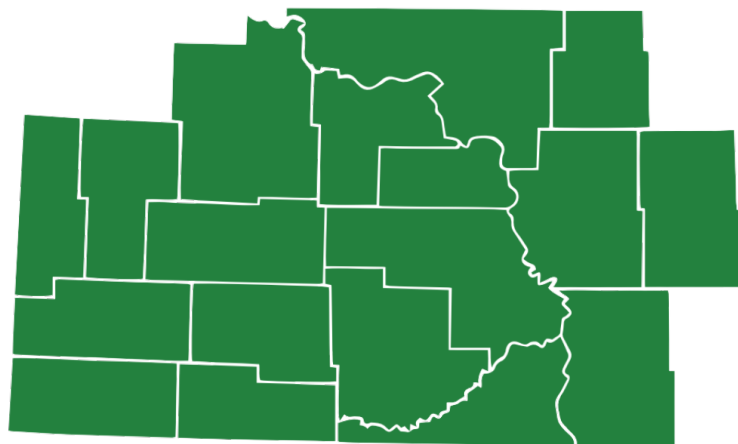
Strategies to be implemented to accomplish the objectives:

- Develop and promote a culture of lifelong learning for all current and future workers.
- Collaborate with business and industry to train new and incumbent workers. Provide integrated options for participants to move quickly into a career pathway program.
- Develop and offer industry recognized stackable credentials for non-degree or degree seeking

students to help expand their skills and enhance their program pathways.

- Strive to enhance public and private partnerships to address essential and occupational skill gaps in our region as well as partnering to educate and re-skill the existing workforce.
- Continue to develop training programs in the areas of technology, cybersecurity, transportation, healthcare, construction, and agriculture.
- Expand technical training offerings and delivery methods for business and industry including, virtual, hybrid, online, and hands-on applied training.
- Rely on our accountability measures to ensure that training programs are industry driven and produce positive outcomes for participants.
- Consult through assessments and needs analysis to become part of our client's business strategy.
- Continue to provide talent development services to our clients to increase their human capital.
- Collaborate with all TrainND regions to ensure coverage for all North Dakota's workforce.
- Research and invest in curriculum development for in-demand skills.
- Pursue grant opportunities for program start-up costs whenever available.

Workforce is the most critical resource for business while engagement between TrainND and business sectors is crucial. TrainND Southwest and BSC help to influence community development, workforce development, and economic development.



BUDGET NARRATIVE

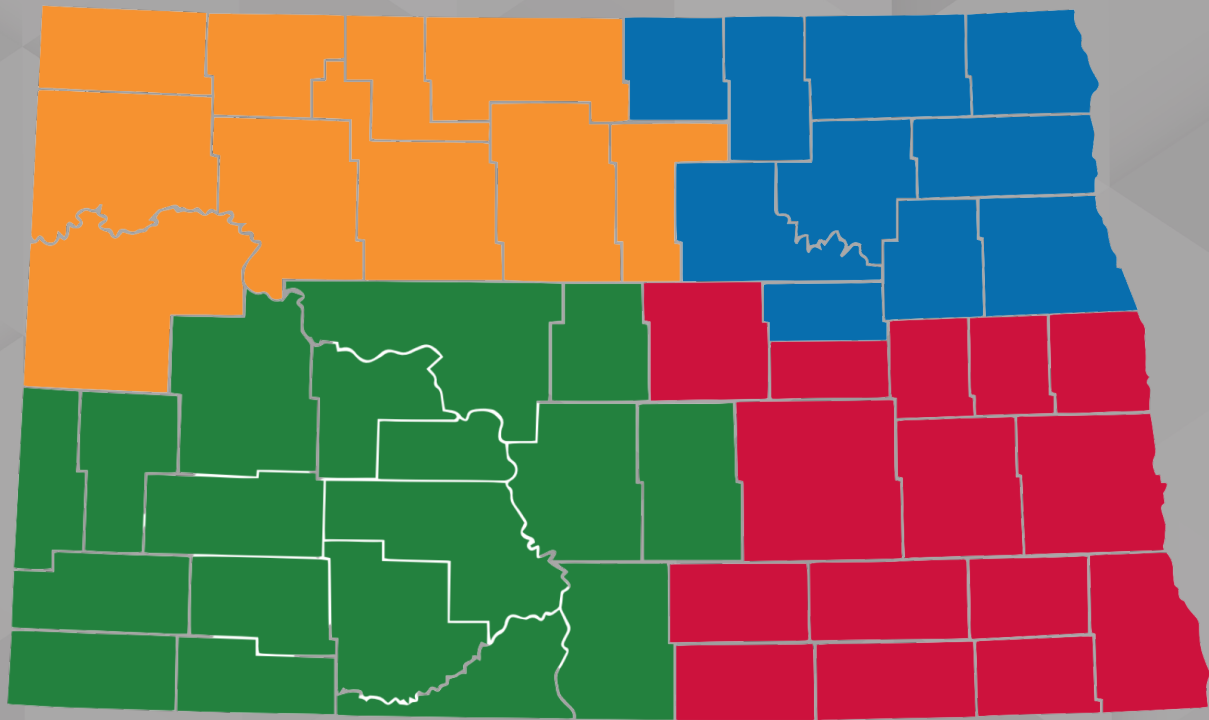
The primary funding source for TrainND Southwest comes from direct training revenues paid for by companies and individuals, along with state allocated dollars and institutional in-kind funding. Bismarck State College continues to support the efforts of TrainND Southwest by providing indirect services including office space, human resources, IT, security and plant services (maintenance, parking, snow removal, etc.). The BSC in-kind rate is calculated on BSC's authorized federal indirect rate. TrainND is actively seeking grant opportunities to expand programming in many high demand occupational career paths.

TrainND Southwest has 7.18 staff FTEs and 2 instructor FTEs in FY 24.



FY 2021-2025 Statement of Revenues, Expenses and Funding Sources

	Actual FY 2021	Actual FY 2022	Actual FY 2023	Budget FY 2024	Budget FY 2025
REVENUES					
Direct Training Revenues	\$851,130	\$1,084,948	\$1,198,978	\$1,357,571	\$1,654,000
Community/Regional Funds	\$0	\$13,662	\$20,327	\$0	\$0
Grant Funding	\$200,000	\$42,232	\$416,257	\$17,000	\$25,000
State General Fund (HB 1019)	\$254,690	\$257,468	\$257,468	\$317,773	\$317,773
Other	\$0	\$0	\$0	\$0	\$0
Total Revenues	\$1,305,820	\$1,398,310	\$1,893,030	\$1,692,344	\$1,996,773
EXPENDITURES					
Total Direct Training Expenditures	\$306,186	\$390,476	\$494,130	\$223,671	\$405,000
Total Salaries/Wages and Benefits	\$726,702	\$736,741	\$871,950	\$1,426,129	\$1,497,034
Outreach/Coordination Expenses					
Marketing	\$819	\$14,186	\$11,570	\$17,523	\$18,000
Travel	\$361	\$5,915	\$2,741	\$5,171	\$6,000
Other Operating Expense	\$7,537	\$18,218	\$29,455	\$13,050	\$14,000
New Initiatives	\$200,000	\$42,232	\$389,257	\$2,500	\$5,000
Professional Development	\$1,553	\$3,242	\$2,201	\$4,100	\$4,100
Total Operational Expenses	\$210,270	\$83,793	\$435,224	\$42,344	\$47,100
Total Expenditures	\$1,243,158	\$1,211,010	\$1,801,304	\$1,692,144	\$1,949,134
Net Result For Future Investments	\$62,662	\$187,300	\$91,726	\$200	\$47,639
BSC In-Kind	\$356,084	\$361,003	\$317,996	\$330,716	\$343,945



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Powered by:



Title: 400 Series Policies, Academic Affairs

Proposed action: Approve/Not Approve amendments and review of 400 series policies.

Summary:

- 403.1.2 Institutional Instructional Program Evaluation
 - Delete
- 403.2 Course Inventories and Titles
 - Delete
- 403.6 Course Challenges and Prior Learning Credit
 - Delete
- 403.8 Major and Minor Equivalency
 - Delete
- 403.9 Developmental Courses
 - Delete
- 405.1 Student Teaching Field Experience
 - Delete
- 406 Academic Calendars
 - Substantive change
 - Require standard time blocks for classes
- 406.2 Class Start Times
 - Delete
- 410.0 Responsible Conduct of Research
 - Renumber to 410, no other changes
- 412 Transfer of Credits
 - Substantive change
 - Require that institution must be recognized by the US Department of Education to transfer credits
- 430.1 Honorary Degrees
 - Renumber to 430, no other changes
 - Periodic review
- 430.2 Emeritus Status
 - Renumber to 431, no other changes
- 430.3 Posthumous Degrees
 - Renumber to 423, no other changes
 - Periodic review
- 441 Degree Credit, Non-Degree Credit and Non-Credit Instructional Activity
 - Substantive change
 - Incorporate deleted Policies 403.2, 403.6, 403.8, 403.9, 405.1

- Incorporate deleted Procedure 441
- 450 Institutional Reports, Catalogs, Bulletins
 - Delete
- 460 Transfer and Test Credit Agreement
 - Substantive change
 - Clarifying definitions

Review Process:

Legal Review	8/30/2023	Recommend approval
Senior Staff	9/25/2023	Recommend approval
HRC	10/3/2023	Informational
AAC	10/3/2023	Recommend approval
Admin	10/3/2023	Informational
SAC	10/3/2023	Informational
CIO	10/3/2023	Informational
Cabinet	10/12/2023	Recommend approval

Chancellor's recommendation: Chancellor recommends approval.

Committee Review

ASAC
SBHE

Contact information: Lisa Johnson, Vice Chancellor for Academic and Student Affairs,
lisa.a.johnson@ndus.edu, 701-328-4143

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

Policy: 403.1.2 Institutional Instructional Program Evaluation

Effective: September 15, 2005

- ~~1. Existing undergraduate instructional programs shall be evaluated at least every seven years and graduate programs shall be evaluated at least every ten years by each institution. New programs shall be evaluated within one year after the first class graduates. The purposes of instructional program evaluation shall include assessments of the current level of program quality, means to improve program quality, relationship of the program to the mission of the institution, and program productivity. The Chancellor shall adopt procedures governing program evaluation, which must include:~~
 - ~~a. A comprehensive self study by the program faculty, a discussion of the evaluation results with the relevant dean or vice president, a written statement of the evaluation's findings, and a written action plan describing follow-up activities. Each succeeding evaluation of a given program shall address the extent to which the program has successfully dealt with the concerns of the preceding evaluation;~~
 - ~~b. Diverse assessment activities, such as:~~
 - ~~i. A site visit and review by a qualified consultant from another institution;~~
 - ~~ii. A review by one or more faculty members from another program within the institution;~~
 - ~~iii. An assessment of student learning, which may include pre and post tests, performance on professional or graduate record examinations, or other appropriate methods)~~
 - ~~iv. A survey of program alumni to determine their current positions and opinions of the program;~~
 - ~~v. A survey of current students to determine whether the program is meeting their needs; and~~
 - ~~vi. Review and advice from the program advisory council or other representatives of the employers of program graduates.~~
- ~~2. Within one year following the graduation of the first class in a new academic program, the institution shall conduct an evaluation in accordance with items SBHE Policy 403.1.2(1)(a) and (1)(b). Not later than six months after the first evaluation of a new academic program is complete, the institution shall submit to the Chancellor a summary of the findings and the follow-up plans.~~

- ~~3. For continuing programs, each institution shall provide a report to the Chancellor by January of each year on instructional program evaluations conducted in the previous academic year. The report shall include a list of all instructional programs evaluated and a summary statement describing institutional decisions and actions taken in response to the evaluations.~~
- ~~4. Notwithstanding the above requirements, a new or existing certificate program within a major degree program, or a certificate program developed from a group of courses within a specific major, shall be evaluated when the major degree program is evaluated; an independent certificate program, or a certificate program offered separate from a specific major shall be evaluated as a separate program according to the requirements set forth above.~~

HISTORY: New policy, SBHE meeting minutes, September 15, 2015.

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Policy: 403.2 Course Inventories and Titles

Effective: February 22, 2002

~~Each institution shall modify its course offerings as necessary to provide up-to-date, high-quality courses and programs for its students. This process is expected to involve both the deletion and addition of courses, resulting in a master course catalog which accurately reflects current course offering.~~

~~Reference: NDUS Procedure 403.0.2~~

~~**HISTORY:** Replaces Article V, Section 3, pages V-2, 3, SBHE Minutes, May 10-11, 1984; Amendment, SBHE minutes, March 8-9, 1990; Amendment, SBHE minutes, March 7, 1991; Amendment, SBHE minutes, February 21-22, 2002.~~

NORTH DAKOTA
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Policy: 403.6 Course Challenges and Prior Learning Credit

Effective: February 22, 2002

~~1. Institutions may allow students to earn course credits without enrolling in the course offering by evaluating their competency with locally developed tests or other proficiency assessments. This allowance does not apply to courses for which nationally standardized examinations exist and are accepted by system wide agreements or courses covered by articulation agreements with secondary schools.~~

~~—Campuses shall follow the current higher learning commission guidelines in awarding prior learning credit.~~

HISTORY: New policy, SBHE Minutes, June 27-28, 1988, page 5731; Amendment, SBHE Minutes, February 21-22, 2002.

NORTH DAKOTA
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Policy: 403.8 Major and Minor Equivalency

Effective: November 20, 2003

~~1. To assist in implementation of the No Child Left Behind Act of 2001, institutions with teacher education programs are authorized to approve highly qualified teacher status earned under major or minor equivalency programs. This authority expires December 31, 2006.~~

~~2. The major and minor equivalency programs are restricted to currently licensed teachers seeking to teach in North Dakota.~~

~~—The Chancellor shall adopt procedures implementing this policy.~~

HISTORY: New policy, SBHE minutes, November 20, 2003.

**NORTH DAKOTA
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Policy: 403.9 Developmental Courses

Effective: May 9, 2013

~~Developmental courses are basic academic skills courses designed to prepare students to complete regular academic degree credit courses. All NDUS courses numbered less than 100 are developmental courses. Developmental courses may count toward a student's full-time course load. This policy is effective fall 2014.~~

HISTORY: New policy, SBHE minutes, June 17, 2010; Amendment, SBHE minutes, May 9, 2013.

**NORTH DAKOTA
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Policy Manual**

Policy: 405.1 Student Teaching Field Experience

Effective: June 20, 2002

~~Institutions providing teacher education shall implement procedures permitting student teaching experiences in both public and parochial schools. The Chancellor shall adopt procedures establishing guidelines consistent with the United States Constitution governing placement in parochial schools.~~

~~References~~**REFERENCES**: U.S. Const.; NDUS Procedure 405.1

HISTORY: New Policy. SBHE Minutes, June 20-21, 2002

NORTH DAKOTA
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Policy: 406 Academic Calendar

Effective: February 23, 2023

1. Except for the School of Medicine and Law, University system institutions shall operate under a common academic year calendar approved by the Chancellor. The Chancellor shall approve academic year calendars at least four years in advance and may approve a perpetual calendar.
2. Academic year calendars must include at least 160 class days, including test days, but excluding class holidays and days reserved for orientation, registration, and commencement. Institutions may designate one class day before finals each semester as a reading/review day.
3. Academic year calendars are subject to the following additional guidelines:
 - a. Class holidays are:
 - i. Labor Day;
 - ii. Veterans' Day;
 - iii. Thanksgiving Day, along with the Wednesday before and the Friday following Thanksgiving Day;
 - iv. Christmas Eve;
 - v. Christmas Day;
 - vi. New Year's Day;
 - vii. Martin Luther King Day;
 - viii. President's Day;
 - ix. The Friday before and Monday following Easter Sunday;
 - x. Memorial Day; and
 - xi. Independence Day;
 - b. Institution offices must be closed at twelve noon on December 24, Christmas Eve, which is an office closure and not a holiday. However, if December 25, Christmas Day, falls on a Saturday, institution offices must be closed all day on the preceding Friday, which is then a holiday as listed in 3(a).
 - c. Fall semester ends before December 25;
 - d. There is at least a two-week break, including Christmas and New Year's Day holidays, between Fall and Spring semesters;
 - e. There is a one-week Spring semester break beginning the Monday following eight completed weeks of instruction. The break will fall between the two eight-week periods of the spring semester;

- f. Finals week begins on a Monday unless a campus identifies the penultimate Friday of the semester as a reading/review day, in which case final exams may begin on the Saturday following the Friday reading/review day;
- g. Institutions may identify courses or programs that shall continue to hold class meetings during term breaks, holidays, and finals week. Exceptions to scheduled breaks, holidays, and finals must be included in the course syllabus;
- h. For a standard 16-week semester, the last day to add or drop a course without a record is the 10th calendar day in the fall term and the 11th calendar day in the spring term. For course drops or institutional withdrawals after the 10th calendar day in the fall term or 11th calendar day in the spring term but not later than the last business day of the 12th week of class, a “W” shall be recorded. Add, drop and withdrawal dates for summer terms or other sessions not 16 weeks in length shall be proportionate to the standard 16-week term;
- i. Grades reported at the end of the term shall include those of students who fail to drop the course or withdraw from the institution according to the dates listed in 3(g); and
- j. Requests for reconsideration or appeals and exceptions to these requirements, based on hardship or other good cause, shall be addressed following established institutional procedures.

4. Institutions may adjust course meeting schedules when the holiday schedule differentially affects courses that meet once a week.

4.5. To offer students the largest number of opportunities to register for as many courses as possible, standard time blocks shall be established. Courses taught on a schedule of Monday, Wednesday, Friday should be taught for 50 minutes and begin on the hour. Courses taught on a schedule of Tuesday and Thursday should be taught for 75 or 80 minutes. Under extenuating circumstances, the time may be adjusted at the institutional level.

History: New policy, Amended, SBHE minutes, June 8-9, 1983; Amended, SBHE minutes, September 24-25, 1987; Amended, SBHE minutes, September 12-13, 1989; Amended, SBHE minutes, February 21-22, 2002; Amended, SBHE minutes, June 19, 2008; Amended, SBHE minutes, September 16, 2010; Amended, SBHE minutes, May 30, 2019; Chancellor waived paragraph 3(g) for Spring 2020 Semester as of April 1, 2020; Amended, SBHE minutes, February 23, 2023

**NORTH DAKOTA
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Policy: 406.2 Class Starting Times

Effective: January 19, 2012

~~To maximize opportunities for institutions to share courses over the interactive video network and other technologies, classes shall start on the hour whenever practical.~~

HISTORY: New policy, SBHE minutes, February 20, 1997; Amendment, SBHE minutes, February 21-22, 2002; Amendment, SBHE minutes, January 19, 2012.

**NORTH DAKOTA
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Policy: 410.9 Responsible Conduct of Research

Effective: June 27, 2017

1. Responsible conduct of research (RCR) is defined as the practice of scientific investigation with integrity. Research is to be conducted in a manner that accurately reflects the research record and avoids research misconduct such as fabrication of data, falsification of data and plagiarism.
2. This policy is intended to set forth expectations for implementing appropriate training and oversight in compliance with federal RCR requirements.
3. Institutions receiving any external funding or support for research shall adopt a policy that requires RCR training for all undergraduate students, graduate students, and postdoctoral researchers participating in sponsored research activities.
4. “Support” includes nonmonetary provision or access to equipment, supplies or lab space by paid or unpaid research participants.

HISTORY: New policy, SBHE minutes, June 27, 2017.

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Policy: 412 Transfer of Credits

Effective: August 1, 2023

1. NDUS institutions shall establish and publish policies and/or procedures for transfer of credit in compliance with the requirements of this policy.
2. NDUS institutions shall identify a contact(s) for the transfer of credit-related information.
3. NDUS institutions must transcribe all completed undergraduate transfer coursework for an undergraduate program into the student information system that applies to any program of study at their institution. The Chancellor may enact procedures to carry out this requirement.
 - a. Institution policies and/or procedures shall determine the number of elective credits to be transcribed.
 - b. A transcribed course will not be removed upon program change.
4. NDUS institutions shall accept college/university level courses from institutions accredited by an organization recognized by the United States Department of Education ~~from regionally accredited organizations or nationally recognized agencies.~~
 - a. NDUS institutions may, at their discretion, accept college/university level courses from institutions that have a “hold” status for their accreditation.
5. NDUS institutions may award credit for education received from non-collegiate institutions based on guidelines outlined in the institution’s policies and/or procedures.
6. A course must meet a minimum comparability standard of 70 percent of content to be transcribed unless a higher standard is required for program specific accreditation or discipline content.
 - a. Course comparability shall be determined by assessing learning outcomes and content as established by the course outline, syllabus, and/or course description.
7. NDUS institutions shall ensure the number of credits transferred must be the same as the number of credits earned at the sending institution for that course, and consider any conversion of quarter, semester, or trimester credit.
8. NDUS institutions shall recognize common general education programs and courses. The Chancellor may enact procedures to carry out this requirement.

9. Articulation agreements between the NDUS and other institutions may enable the transfer of general education and other credits among institutions. The Chancellor may enact procedures to carry out this requirement.
10. Students must meet institutional residency requirements as established by the receiving institution with the understanding that students may need to take additional credits to meet the residency requirement.
11. Students who have ~~completed~~earned an Associate in Arts and/or Associate in Science ~~degree~~from an institution accredited by an organization recognized by the United States Department of Education shall be granted credit for having met all lower-division general education requirements. Students may be required to complete other courses, which may fall under a general education category, only if the courses are required as part of the student's program and were not completed prior to transfer or are part of the receiving institutions upper-division general education requirements.
12. NDUS institutions shall establish and publish policies and/or procedures for students to appeal course and credit transfer decisions.
 - a. The appeal process shall allow students the opportunity to question transfer decisions concerning their academic record and shall allow for an impartial review by qualified faculty and/or staff.
 - b. The institutions shall provide the student with a written response containing the rationale for the final decision and reference applicable SBHE Policies or NDUS Procedures.
 - c. Institutions may not discriminate against, sanction, or retaliate in any way against a student because the student chose to file an appeal.
13. Students not satisfied with the institution's transfer appeal decision may submit a transfer appeal to the North Dakota University System Office. The Chancellor may enact procedures to carry out this requirement.

~~References~~**REFERENCES:** NDUS Procedures 412.1, 412.2, 460.~~1~~, 460.~~24~~, 460.~~32~~, 460.~~54~~, 460.~~65~~

~~History~~**HISTORY:** New policy, SBHE minutes, December 9, 2021.

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Policy: 430.+ Honorary Degrees

Effective: February 22, 2002

1. An honorary doctoral, masters, specialist, baccalaureate, or associate degree may be awarded by an institution when the institution has been granted authority to award the respective degrees.
2. In the name of the NDUS, the SBHE may award honorary degrees based on a recommendation from the Chancellor, or the president of one of the institutions, with the Chancellor's concurrence.
3. An institution may not award an honorary degree until it has been approved by the SBHE upon nomination by the Chancellor or the president of an institution and recommendation by the Chancellor.
4. To avoid any embarrassment, no suggestion shall be made to any individual to be so honored until the SBHE has acted.
5. An honorary degree may not be awarded to an employee of the SBHE except after that individual's retirement or termination has been acted upon by the SBHE.
6. Recognized earned doctoral degrees shall not be awarded as honorary degrees. In general, the recognized honorary degrees of Doctor of Laws (LL.D), Doctor of Letters (Litt.D), Doctor of Science (Sc.D) and Doctor of Humane Letters (L.H.D.) should be used, although appropriately titled degrees could be used to recognize achievement in specific professions. Recognized master, specialist, baccalaureate and associate degrees may be awarded as honorary degrees when the word "honorary" is clearly indicated in the degree title.
7. Institutions authorized to award honorary degrees shall develop written procedures for selecting appropriate candidates. Those procedures shall include the following criteria, which also apply to nominations by the Chancellor:

- a. The candidate should have had an association with North Dakota. This association may be by virtue of birth, of residence, of education, of service to the state, the SBHE, or one of the institutions governed by the SBHE.
- b. The candidate must have achieved a level of distinction which would merit comparable recognition in the profession or area of excellence.
- c. The renown of the candidate should reflect favorably on the SBHE, the institutions it governs, and North Dakota.

HISTORY: New policy, SBHE minutes, June 17-18, 1982; Amendment, SBHE minutes, May 24-25, 1990; Amendment, SBHE minutes, February 6-7, 1992; Amendment, SBHE minutes, April 26-27, 2001; Amendment, SBHE minutes, February 21-22, 2002; Revised by legal, June 2018.

**NORTH DAKOTA
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Policy: 43~~10.2~~ Emeritus Status

Effective: February 26, 2019

1. The SBHE may confer emeritus status upon retirement or after retirement to a Chancellor or president, based upon significant contributions or length of service to North Dakota, the NDUS, or the institution.
2. Institutions may confer emeritus status upon retirement or after retirement to faculty or senior administrators or professionals, excluding emeritus status for presidents, pursuant to institution policies and procedures. Criteria for emeritus status may include length of service to the institutions, significant contributions to the institution and North Dakota, or particularly distinguished service to an academic discipline.
3. Institutions, including the System Office and Core Technology Services, may confer emeritus staff status pursuant to institution policies and procedures. Criteria for emeritus staff status may include length of service to the institution, significant contributions to the institution and North Dakota, or particularly distinguished service to the institution and the academic community.
4. Emeritus status shall not include salary or other compensation or other rights, except privileges specified in institution policies or procedures.

HISTORY: New policy, SBHE minutes, September 15-16, 1983; Amendment, SBHE minutes, June 18, 1998; Amendment, SBHE minutes, December 15, 2005, Amendment, SBHE minutes, February 26, 2019.

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Policy: 43~~29.3~~ Posthumous Degrees

Effective: September 26, 2012

1. Institutions may adopt policies and procedures to award a posthumous degree. Institution requirements must include the following:
 - a. A student must have been in good academic standing with the institution at the time of death;
 - b. The student must have satisfied the institution's requirements for earned credits in residence; and
 - c. The student must have substantially completed the degree requirements.

HISTORY: New policy, SBHE minutes, September 26, 2012.

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Policy: 441 Degree Credit, Non-Degree Credit and Non-Credit Instructional Activity

Effective: November 17, 2011

1. STRUCTURE

- a. The SBHE has established high expectations for learning and the assessment of learning which are supported by evidence such as:
 - i. The assessment of student learning beginning at the course level
 - ii. The use of multiple direct and indirect assessments of student learning
 - iii. The involvement of faculty in defining student learning outcomes, and
 - iv. All educational offerings, credit and non-credit, involve the assessment of student learning.
- b. Institutions are encouraged to develop, assess and, if appropriate, deploy new technologies which support effective learning. There is a continuing expectation that the recognition of student learning be based, to the extent possible, on the equivalent of fifteen hours of traditional classroom instruction per semester hour of credit.
- ~~b. The Chancellor shall define requirements for degree credit, non-degree credit, and non-credit activities and subcategories. The definition for each category shall describe how the activity must be recorded and transcribed, and whether the activity is included in headcount on a semester or annual basis or both. Each subcategory must specify whether the activity is included in FTE enrollment calculations in a semester or annual report.~~
- c. Definitions of applicable terms shall be consistent with a NDUS data warehouse data element dictionary.

2. DEFINITIONS

- a. Degree credit is instructional activities provided by the institution which result in the award of college credit that can be applied toward a college degree. Additional

forms of degree credit may include:

- i. Standardized Examinations are nationally recognized examinations that document knowledge and competencies for one or more subject areas. Recognized standardized examinations include College Level Examination Program (CLEP), Advanced Placement (AP), DANTES Subject Standardized Tests (DSST), International Baccalaureate (IB), and Cambridge International (CI).
- ii. Challenge Examinations ~~is~~are institutionally developed examinations that enables a student to earn credit for a course through testing rather than regular course enrollment.
- iii. Evaluated Non-College Coursework is the award of degree credit through use of published credit recommendations for formal instructional programs offered by non-collegiate agencies, both civilian employers and the military.
- iv. Prior Learning Assessment/Credit for Prior Learning is institutional evaluation of a student portfolio, training modules, documented military experience, or other documentation for the purpose of granting degree credit for learning acquired through experience. Students may be required to pay a fee for the evaluation of prior learning.
- v. Articulated Credit is degree credit activities for which other, typically non-college course or training content has been evaluated and deemed equivalent to specific courses at the institution. Specific course equivalents are detailed in a corresponding articulation agreement prior to the non-college course or training.
- b. Developmental Courses are basic academic skills courses designed to prepare students to complete regular academic degree-credit courses. NDUS courses numbered less than 100 are developmental courses. Developmental courses may count toward a student's full time course load.
- c. Non-Degree Credit are institutional instructional activities that result in the award of college credit which typically cannot be applied toward a college degree. Non-degree credit may include:
 - i. Professional Development Activity – Attached Credit is Non-degree credit for instruction sponsored or approved by an institution and taught by an instructor not employed or paid by the institution.
 - 1. Most common are teacher education workshops. Required criteria must include a proposed offering form, instructor's syllabus,

instructor's current vita, and 15 hours instruction per semester hour of credit.

2. Numbered 1000 for undergraduate level instruction (effective summer 2017)

3. Numbered 2000 for graduate level instruction (effective summer 2017)

ii. Professional Development Activity – Institutionally Sponsored is Non-degree credit for instruction sponsored or approved by an institution and taught by an instructor employed or paid by the institution.

1. Most common are teacher education workshops. Required criteria to include a proposed offering form, instructor's Application to Teach Form, instructor's syllabus, instructor's current vita, and 15 hours instruction per semester hour of credit.

2. Numbered 1000 for undergraduate level instruction (effective summer 2017)

3. Numbered 2000 for graduate level instruction (effective summer 2017)

iii. Degree Courses for Non-Degree Credit (Audited Course) is attendance or participation in a class for educational or self-enhancement purposes without receiving credit toward a degree.

d. Non-Credit Activity is institutional activities, including Continuing Education Units (CEU) and TrainND activities, which do not result in the award of college credit.

2.3. REPORTING

a.

a. All degree-credit and non-degree credit activities are logged and managed in the student administrative system.

b. Non-credit instructional activities are not managed within the student administrative system and maintained by the institutions. TrainND activity is only reflected in reporting.

c.

<u>Activity</u>	<u>Official Academic Transcript</u>	<u>Headcount for enrollment reporting</u>	<u>FTE enrollment calculations</u>
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<u>Degree Credit</u>	<u>Transcribed</u>	<u>Included</u>	<u>Included</u>
<u>Standardized Examinations</u>	<u>Transcribed</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Challenge Examinations</u>	<u>Transcribed</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Evaluated Non-College Coursework</u>	<u>Transcribed</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Prior Learning Assessment/Credit for Prior Learning</u>	<u>Transcribed</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Articulation Credit</u>	<u>Transcribed</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Developmental Courses</u>	<u>Transcribed</u>	<u>Included</u>	<u>Included</u>
<u>Professional Development Activity – Attached Credit</u>	<u>Transcribed on Continuing Education Transcript</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Professional Development Activity – Institutionally Sponsored</u>	<u>Transcribed on Continuing Education Transcript</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Degree Courses for Non- Degree Credit (Audited Course)</u>	<u>Transcribed with a letter grade of AU and excluded from GPA calculations</u>	<u>Excluded</u>	<u>Excluded</u>
<u>Non-credit Activity</u>	<u>Not transcribed</u>	<u>Included (TrainND only)</u>	<u>Excluded</u>

HISTORY: New policy, SBHE minutes, November 17, 2011.

NORTH DAKOTA
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Policy: 450 Institutional Reports, Catalogs, Bulletins

Effective: February 22, 2002

Institutions shall publish electronic or hard copies of catalogs and bulletins for the purpose of furnishing prospective students and other interested persons with information about the institutions. Announcements contained in such printed or electronic material are subject to change without notice, and may not be regarded as binding obligations on the institutions or the state of North Dakota.

HISTORY: Replaces Article II, Section 7-A, page II-22; New policy, SBHE Minutes, May 10-11, 1984; Amendment, SBHE minutes, June 26-27, 1985; Amendment, SBHE minutes, February 21-22, 2002.

**NORTH DAKOTA
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Policy: 460 Transfer and Test Credit Agreements

Effective: August 1, 2022

1. ~~DEFINITIONS~~ Definitions:

- a. **Agreements** ~~are~~ is a variety of articulation agreements, memorandum of understanding/agreements (MOU/A) and secondary-postsecondary articulation agreements. These types of agreements detail institutional responsibilities and provide assurance of transferability between participating institutions. ~~will guide students to institutions through the document that openly states how to transfer in the most efficient manner. A MOU is intended to explore opportunities to collaborate in areas that would be mutually beneficial to each institution. A MOA is a strategic advantage to an institution for specific activities of importance.~~
- b. **Alternative General Education Program (AGEP)** is an outline of the institution's general education learning outcomes and an approved set of general education coursework that is transferable between NDUS institutions and participating tribal and private institutions.
- c. **Common Course Numbering (CCN)** is a uniform numbering convention used by NDUS institutions and participating tribal and private institutions to oversee, coordinate, and facilitate curricular offerings across the institutions.
- d. **Credit-by-Exam (CBE)** is a program that allows students to earn college credit for what they already know or learn by participating in a CBE program. Passing college-level, subject matter exams through a credit-by-exam program offers students the opportunity to earn college credit. Examples of CBE providers include, but are not limited to Advanced Placement, College-Level Examination Program, DANTES Subject Standardized Tests, and International Baccalaureate, and Cambridge International.
- e. **General Education Requirement Transfer Agreement (GERTA)** is an outline of the institution's general education requirement and an approved set of general education coursework that are transferable between NDUS institutions and participating tribal and private institutions.
- f. **Military General Education Requirement Transfer Agreement (GERTA)** is an educational agreement that allows military courses to transfer to institutions in alignment with GERTA.

2. ~~TRANSFER AND TEST CREDIT AGREEMENT DETAILS~~Transfer and Test Credit Agreement Details:

- a. Common general education requirement applies to all Associate of Arts, Associate of Science, and bachelor's degrees, except the Bachelor of Applied Science degree at NDUS institutions.
- b. NDUS institutions shall recognize common general education programs and courses that are outlined within in GERTA, AGEP, and Military GERTA procedures.
- c. NDUS institutions shall use the CCN matrix as deemed transferrable courses among institutions as outlined within procedure.
- d. NDUS institutions shall use the Credit-by-Exam chart to determine minimum credit granting score, the number of semester credits to be awarded and the course(s) or type of course(s) to be awarded as outlined within procedure.
- e. Articulation agreements between the NDUS and other institutions may enable the transfer of general education and other credits among institutions as outlined within procedure.

~~References~~REFERENCES: NDUS Procedures 460.1, 460.2, 460.3, 460.4, 460.5, and 460.6

~~History~~HISTORY: New policy, SBHE minutes, June 18-19, 1998; Amended, SBHE minutes, May 30, 2001; Amended, SBHE minutes, February 21-22, 2002; Amended, SBHE minutes, September 18, 2008; Amended, SBHE minutes, December 18, 2008; Amended, SBHE minutes, November 19, 2009; Amended, SBHE minutes, October 29, 2020; Amended, Administrative review, September 29, 2022.

Title: 600 Series Policies, Personnel

Proposed action: Approve/Not Approve amendments and review of 600 series policies.

Summary:

- 610 Oath for Teachers
 - No substantive change
 - Periodic review
- 611.2 Employee Responsibility and Activities: Intellectual Property
 - No substantive change
 - Periodic review
- 611.6 Confidential Proprietary Information
 - Substantive change
 - Adding caveats and statutory language
 - Periodic review
- 611.8 Employee Responsibility and Activities: Research on Human Subjects
 - No substantive change
 - Periodic review
- 611.9 Selection of Textbooks and Other Curricular Materials
 - No substantive change
 - Periodic review

Review Process:

Legal Review	8/30/2023	Recommend approval
Senior Staff	9/25/2023	Recommend approval
HRC	10/3/2023	Informational
AAC	10/3/2023	Recommend approval
Admin	10/3/2023	Informational
SAC	10/3/2023	Informational
CIO	10/3/2023	Informational
Cabinet	10/12/2023	Recommend approval

Chancellor's recommendation: Chancellor recommends approval.

Committee Review

ASAC
SBHE

Contact information: Lisa Johnson, Vice Chancellor for Academic and Student Affairs,
lisa.a.johnson@ndus.edu, 701-328-4143

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Policy: 610 Oath for Teachers

Effective: April 18, 2002

Every member of the academic staff at university system institutions, before entering upon the discharge of their duties, shall execute the oath or affirmation required by N.D.C.C. §15-10-13.2. The oath shall be executed in duplicate and one copy shall be filed at the institution and one copy given to the academic staff member.

~~Reference~~ **REFERENCE**: N.D.C.C. §15-10-13.2

HISTORY: Replaces Article III, Section 1(D), page III-1; Amendment, SBHE minutes, June 7-8, 1984; Amendment, SBHE minutes, November 18-19, 1999; Amendment, SBHE minutes, April 18, 2002.

**NORTH DAKOTA
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Policy: 611.2 Employee Responsibility and Activities: Intellectual Property

Effective: November 30, 2017

1. The SBHE encourages and promotes research and scholarship based upon the traditional principles of the academic profession. Some creative endeavors, discoveries, advancements, and innovative approaches have the potential to be used outside of the NDUS. Through this intellectual property policy, the SBHE seeks to execute a synergistic model of education, research, outreach, service, and economic development to accomplish a greater good.
 - a. This policy establishes guidelines to support faculty, staff, and students in identifying, protecting, and administering intellectual property (IP), and defines the rights and responsibilities of all involved. Each institution shall adopt procedures implementing this policy, a process for resolving disputes, and a process for informing faculty, staff, and students of their respective rights and responsibilities related to IP. Each institution may adopt a separate statement of IP policies, however such statement may not conflict with this policy.
 - b. The primary purposes of this policy are to:
 - i. Provide clear guidance for all involved in the creation, development, management, protection, and dissemination of discoveries and IP within the NDUS and its institutions.
 - ii. Provide for an effective and efficient process to achieve positive outcomes for creators, the NDUS and its institutions.
 - iii. Effectively manage all interests that may emerge in relation to discoveries that have commercial value or other desirable outcomes and provide guidance as to which of these interests or outcomes has priority.
 - iv. Place creative output into practical use for public benefit as quickly and as effectively as possible, and in a manner consistent with applicable laws and public policy.
 - v. Facilitate the creation of appropriate public-private partnerships to support economic development.
 - vi. Encourage a broad array of mutually beneficial relationships with organizations outside of the NDUS and its institutions to enhance creative

output, including collaborative research, licensing of IP, and the formation of companies specifically for the purpose of commercializing newly created IP.

- c. It is the expectation of the SBHE that all persons involved in the creation, development, management, protection, and dissemination of IP shall conduct themselves in accordance with the core values espoused in SBHE Policy 100.5.

2. For the purposes of this section:

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

3. The SBHE strongly encourages the pursuit of formal protection and efforts to commercialize all IP as a method of bringing recognition and remuneration to creators, the NDUS, and institutions.

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

allocate remaining net royalties to be used principally in support of research. In addition, each institution shall maintain the right to implement a sliding scale [reducing percentage] for net royalties once a specified revenue trigger is reached, with a minimum entitlement of thirty percent. The specifics of the sliding scale and trigger revenue shall be at the discretion of each institution.

- e. When there are two or more creators, each creator shall share equally in the creator's share of net royalties unless all have agreed in writing to a different distribution of such share. The institution will honor any agreement purporting to share rights or royalties between participating parties to the fullest extent permitted under applicable law. In cases of joint development where creators are employed at two or more institutions, the institutions shall enter into an inter-institutional agreement.

4. The following provisions apply to general copyrighting of IP at the institution.

- a. Each institution's IP procedures shall provide for the disclosure, review, and evaluation of original works of authorship, and for the protection and commercialization of works in which copyright is owned by the institution under this policy. Copyrightable works that are also patent-eligible inventions, such as software, shall be governed by the general IP policy set forth in SBHE Policy 611.2(3).
- b. An institution shall own copyright in works prepared by its employees at the specific direction of the institution.
 - i. An employee shall report such work in accordance with the general IP policy set forth in SBHE Policy 611.2(3).
 - ii. Net royalties received by an institution as a result of copyright ownership will be disbursed in accordance with the general IP policy set forth in SBHE Policy 611.2(3).
- c. Institution employees shall be entitled to own copyright in works that are prepared within the scope of employment but not at the specific direction of the institution.
 - i. An institution shall relinquish copyright ownership in any work that arises by operation of law and, if necessary, shall execute assignments conveying such copyright ownership to employees. As a condition of any such relinquishment or assignment, the institution shall retain a perpetual, non-exclusive, worldwide and royalty-free license to use the work for teaching, educational, archival, and research purposes. SBHE 611.2(4)(c) shall not apply to companion works that enable, or are incidental to or necessary for the practice of, an invention owned by the institution under this policy.

- ii. If an employee has made a significant use of resources in the creation of a work governed by SBHE Policy 611.2(4)(c), an institution may require the employee to reimburse the institution for the value of such use.
 - iii. Institution employees shall not use any work governed by SBHE Policy 611.2(4)(c), including textbooks and other course materials, either printed or electronic, in any manner that competes in a substantial way with the for-credit offerings of the institution employer unless such use has received the approval of the chief academic officer of the institution.
- 5. Each institution's IP procedures shall provide for the identification and protection of the trademarks and service marks of the institution, provided that commercialization and licensing activities may be delegated by contract to one or more third parties.
- 6. Student IP.
 - a. An institution may not require an assignment of IP rights from a student unless at least one of the following applies:
 - i. The student received financial support from the institution, in the form of wages, salary, stipend, or grant funds, for the research or activities that led to the development of the IP.
 - ii. The institution is contractually obligated to require such assignment.
 - iii. The IP was developed with the significant use of resources and the retention of such rights by the student would substantially impair a mission of the institution.
 - iv. The IP was a companion work that enabled, or was incidental to or necessary for the practice of an invention owned by the institution under this policy.
 - v. The student expressly agreed to make such assignment.
 - vi. The IP comprises marks or logos used or intended to be used solely or primarily by the institution in conjunction with the institution's offering of goods or services, including the institution's department of athletics.
 - b. An institution may not require a license in IP from a student unless at least one of the following applies:
 - i. The IP comprises copyright in a thesis or dissertation.
 - ii. The IP arose from a multi-semester classroom project administered by an institution employee, such as a senior design project, and the license is necessary for the institution to continue administering the project.

- iii. In the absence of such license, a mission of the institution would be substantially impaired.
 - iv. The student has expressly agreed to grant such license.
 - c. If an assignment is required, the student making such assignment shall be treated as a creator and shall be entitled to the rights and benefits of a creator under this policy.
 - d. Required licenses shall be non-exclusive, non-commercial, perpetual, and royalty-free, unless otherwise agreed to by the institution so licensed.
 - e. Nothing in this section shall be construed to prevent a student from voluntarily entering into a relationship with an institution concerning IP.
7. An institution may assign or transfer ownership rights in IP to a foundation as defined in SBHE policy. Such assignment or transfer shall be in writing and signed by the president of the institution or a designee. Institutions may require, as a condition of such assignment, periodic reporting relating to the administration, marketing, and commercialization of the assigned IP.
 8. It is the responsibility of institution employees to ensure that the terms of their consulting agreements with third-parties or the conditions of developmental leave do not conflict with this or any other SBHE or institutional policy.

ReferenceREFERENCE: SBHE Policy 100.5

HISTORY: New policy, SBHE minutes, April 24-25, 1989; Amendment, SBHE minutes, June 20-21, 2002; Amendment, SBHE minutes, November 20, 2014; Amendment, SBHE minutes, November 30, 2017.

NORTH DAKOTA
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Policy: 611.6 –Confidential Proprietary Information

Effective: April 18, 2002

1. Pursuant to N.D.C.C. § 44-04-18.4, trade secret, proprietary, commercial and financial information is confidential and not subject to the state's open records law if it is of a privileged nature and has not been previously publicly disclosed. Institutions shall adopt necessary policies or procedures to protect confidential information, including such information received or generated in connection with grants or contracts. The existence of a ~~confidential~~ grant, contract or proposal; ~~and non-confidential grant or contract terms~~, the name of the funding entity; ~~or~~ and the general nature of the research ~~shall~~ is not be proprietary or confidential, except as required by federal law.
2. No policy shall limit or affect the applicability or implementation of any rule or regulation of the state health department.
3. A sponsor of research or external funding shall identify ~~C~~ confidential information ~~shall be identified by the sponsor as such~~ at the time of disclosure to the institution. Such information shall not mean:
 - a. Information already in the public domain at the time of disclosure;
 - b. Information rightfully received by the institution from a third party without obligation of confidence;
 - c. Information publicly disclosed either before or after the institution's receipt of such information by the sponsor or a third party; or
 - d. Information which the institution can demonstrate to have been known prior to receipt from the sponsor.
4. Institution policies shall allow the free dissemination of data from knowledge creation efforts while maintaining confidential information and preserving the intellectual property rights resulting from such programs. Absent overriding contractual obligations, ~~T~~ the right to publish the results derived from research and development programs shall be vested at all times in the institution, its faculty, staff, or students.

However, ~~the~~ a sponsor of research or external funding and an institution may ~~request~~ agree on:

- a. A limited period in which the sponsor [of research or external funding](#) may examine potential publications to provide advisory comments and to identify its proprietary information; and
- b. A period in which public "enabling" disclosures of research results or discoveries should be withheld to allow the preservation of intellectual property rights.

~~Other restrictions may apply within the context of local institutional policy and state law.~~

~~Reference:~~[REFERENCE:](#) N.D.C.C. § 44-04-18.4

[HISTORY:](#) New policy, SBHE minutes, February 9-10, 1989; Amendment, SHBE minutes, November 4, 1993; Amendment, SBHE minutes, January 15, 1998; Amendment, SBHE minutes, April 18, 2002.

**NORTH DAKOTA
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Policy: 611.8 Employee Responsibility & Activities: Research on Human Subjects

Effective: April 25, 1989

1. The conduct of research involving humans as subjects, including humans as sources of information, raises unique concerns which have motivated the promulgation of specific regulations to safeguard the subjects and their right to maintain their privacy. Institutional policies shall define regulations which include requirements of confidentiality regarding subject identity and informed consent to the release of data or other information produced by the research.
2. Use of human subjects includes not only the manipulation of humans and their behavior under controlled circumstances, but also collection of information from humans by survey or observation. The institutional regulations shall require pre-commencement review by an assigned institutional review board or its representatives. Researchers whose work uses human subjects shall comply with these regulations.
3. Institutional review boards shall establish their own policy for the protection of proprietary and confidential information contained in proposals and protocols submitted to them. Institutional policies shall specifically address situations in which a breach of confidentiality may result in social or economic harm to the subject and in which the publication format of educational and scientific data may lead to identification of a single subject.

HISTORY: [New policy, SBHE minutes, April 24-25, 1989.](#)

**NORTH DAKOTA
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Policy: 611.9 Selection of Textbooks and Other Curricular Materials

Effective: April 15, 2004

The following rules govern selection of textbooks and other curricular materials:

1. An instructor may not receive financial compensation or any other form of remuneration, excluding supporting educational materials for teaching, from a publisher or an agent of the publisher for the purpose of selecting or assigning textbooks or other curricular materials.
2. An instructor or other employee who is paid or receives other remuneration in connection with the sale or assignment of textbooks or other curricular may, as provided under institution procedures implementing this policy:
 - a. Assign all royalty payments or other remuneration resulting from assignment of the materials at the employing institution; or
 - b. Retain royalty payments or other remuneration, in which case the final decision to assign the materials shall be made as provided under each institution's procedures.
3. With the input of faculty, students and administration, each institution shall adopt procedures implementing this policy, including a process for review or appeal.

HISTORY: [New policy, SBHE minutes, April 15, 2004.](#)

**NDUS TrainND Annual Report
FOR WORKFORCE TRAINING – FY 2023**

		Unduplicated Data				
Accountability Measure		WSC	LRSC	NDSCS	BSC	Total
Number of businesses in the region receiving training	#	825	114	296	595	1,830
Number of companies served with less than 50 employees	#	705	64	200	229	1,198
Number of employees receiving training (Unduplicated)	#	9,285	2,290	1,328	3,105	16,008
Number of employees receiving training (Duplicated)	#	11,199	2,943	2,452	3,929	20,523
Number and percent of businesses requesting repeat or additional training	#	620	55	177	210	1,062
	%	75%	48%	60%	35%	
Levels of satisfaction with training events based on results provided by employers and employees receiving training	Businesses	98%	100%	99%	100%	
Level of satisfaction of companies with responsiveness of training provided	Businesses	100%	100%	99%	100%	
Total Contact Hours of Training Provided	#	78,151	17,063	74,159	74,403	243,776
Revenue generated from training fees	\$	\$2,611,206	\$284,417	\$872,903	\$1,198,978	\$4,967,504