



Minot State University  
Faculty Handbook

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# Section A: Description of Minot State University

## Welcome from the Vice President of Academic Affairs

Dear Minot State University Faculty,  
Welcome to Minot State University! Our campus is dedicated to excellence in education, scholarship, and community engagement achieved through rigorous academic experiences, active learning environments, commitment to public service, and a vibrant campus life. These experiences prepare students for the challenges of a changing world, inspire their creativity, enhance their learning and development, and empower them to lead meaningful, productive lives.

The Faculty Handbook is designed to provide you with information about MSU policies and procedures to support your success in teaching, service, and scholarship. Please review this document and check MSU's website for additional information regarding programs, professional opportunities, and campus activities. If you need further assistance, please contact the administrative assistant or the chair of your department or division. This handbook is updated each year, so please check for updates, especially as you prepare your annual self-evaluation or your tenure or promotion application.

I hope your experience as a faculty member at MSU is personally and professionally rewarding. If you have any questions or need additional information, my door is always open. I look forward to working with you as a member of the academic team at MSU.

Sincerely,  
Laurie Geller  
Vice President for Academic Affairs





## Minot State University Campus and Buildings

Administration — Houses offices for the President, the Vice President for Academic Affairs, the Vice President for Administration and Finance, the Vice President for Student Affairs, the Director of Academic Assessment, the Center for Extended Learning, the Business Office, Registrar, , Financial Aid, Design and print services, Dakota College at Bottineau, Enrollment Services, University Communications, Human Resources, Institutional Research, and the Interactive Television Studios.

Amphitheater — Built by students, alumni, and other university supporters. Located on the hillside in the northern part of the campus, it provides a beautiful setting for Summer Theater, musicals, and other productions.

C.P. Lura Manor — Five-story building completed in 1986. It houses 152 male and female students in four-person suites. It also houses the Student Health Clinic, Access Services, and University Counseling.

Campus Heights Apartments — Completed in 1984. Houses 18 efficiency and 12 two-bedroom apartments. Open to all students.

Cook Hall — A five-story, co-ed residence for 188 students. There is a study lounge, recreation room, a kitchen facility, and a laundry area.

Crane Hall — Completed in 1960 and most recently renovated into a co-ed suite style residence hall with a lounge, recreation room, and laundry facility for 81 students.

Cyril Moore Science Center — Houses the Department of Science. Also included are a lecture-demonstration auditorium seating 233, as well as classrooms and labs for science courses.

Dakota Hall — A conveniently located co-ed residence for 96 students. A lounge, kitchen facilities, and laundry area are available for residents. The offices of Residence Life/Housing, and Veterans Services are located on the lower level.

Dome — Provides facilities for a wide variety of activities such as handball, racquetball, basketball, and indoor track with seating for over 9600 people. The building also has lockers, showers, classrooms, and offices for Athletics.

Hartnett Hall — Houses the Division of Humanities. Office and classroom space are also provided for the Humanities programs in art, communication arts, broadcasting, English, Aleshire Theater, and the Red and Green Newspaper. There are classrooms and a 200-seat theater for lectures, recitals, and theater.

Herbert M. Parker Stadium — Football and soccer stadium with a seating capacity of 3500 on the stadium's north side.

McCulloch Hall — A co-ed residence for 145 students completed in 1960. There is a study room for residents and a lounge, recreation room, cooking facility, and laundry area.

Memorial Hall — Houses the following academic disciplines: Addiction Studies, Communication Disorders, Nursing, Psychology, Social Work, Special Education, and Criminal Justice. It also houses the North Dakota Center for Persons with Disabilities, a university affiliated program. The institute serves as an outreach center from which a comprehensive, interdisciplinary program of research, training, and clinical services is provided to rural communities in the Minot service region.

Model Hall — Houses the Math and Computer Science Departments as well as the Honors

Program.

Students also have access to computer laboratories.

Old Main Building — Provides classroom and office space for the Colleges of Business, and the Divisions of Music and Social Science. It also houses the office of Information Technology, and the Severson Entrepreneurship Academy. Ann Nicole Nelson Auditorium provides facilities for the performing arts.

Gordon B. Olson Library — The MSU Library contains over 450,838 volumes in its book, bound periodical, and document collections. The library currently provides access to several thousand journals through 300 direct journal subscriptions and numerous online databases with full-text access to articles. Olson Library is a select regional depository for U.S. Government and State of North Dakota publications. In addition, the library houses special collections of North Dakota materials, children's books, microforms, and the Northwest Art Center. The Northwest Arts Center is a non-profit arts center operating on the campus of Minot State University. Established in 1992, the Center was organized to formally support a gallery program that had been in existence since 1969 but was ready to expand its offerings. From its start as a hallway gallery in the 1970s, exhibit venues evolved in the 1980s and 1990s to dedicated spaces in the art department and university library, to the present newly renovated Arts Center in the lower level of the Minot State University Gordon B. Olson Library. The Northwest Arts Center was dedicated April 19, 2018, and houses the Walter Piehl Gallery, a public reception area, and climate-controlled collections storage for Minot State University's Permanent Art Collection and Native American Collections. The Student Success Center including the Career Center, POWER Student Support Services, Student Access Services and the Academic Support Center are located in the library lower level.

Facilities Management — Houses custodial support, the office of the Facilities Management Director, the state vehicle motor pool procurement office, warehousing, and shipping & receiving.

Pioneer Hall — Family housing facility. Houses 40 one-bedroom apartments. The ground floor houses and the Ceramics Studio (northwest entrance).

Security Management — campus security is housed in the former Facilities Management Building.

Student Center — This comprehensive student services and activities building includes the Campus Bookstore, the Beaver Dam, a convenience store, Student Activities and Student Government Association offices, the Native American Center, conference rooms, and numerous study lounges. It also provides space for Sodexo Dining Services, the Vice President for Advancement and Alumni Association office, and the Post Office/Information Center.

Swain Hall — Houses the Department of Teacher Education and Human Performance as well as exercise physiology equipment, a workout/lap therapy pool, and low-tech science labs.

Wellness Center — The Wellness Center, newly constructed in 2012, offers a variety of fitness opportunities for both students and employees. For more information visit the Wellness Center website <http://www.minotstateu.edu/wellness/index.shtml>.

## Map of Minot State University



Figure 1. Map of Minot State University with building locations

## Brief History of Minot State University

Minot State University owes its inception to the vision of the early citizens of Northwestern North Dakota who, as early as 1898, began to advocate a state educational institution in this region. The effort to make the necessary amendment to the constitution began shortly after the turn of the century, but the project did not take definite form until 1907 when C. A. Johnson introduced a bill in the Legislature to establish a normal school at Minot.

The bill establishing the State Normal School at Minot passed in 1907 and, as required by law, then passed the 11th legislative Assembly in 1909. Voters ratified the constitutional amendment in

November 1911. The 12th Legislature appropriated \$200,000—for the Main Building, a dormitory (Pioneer Hall), and the powerhouse — and the State Normal School at Minot became a reality.

Controversy revolved around the exact location of the school, but the controversy was settled when Erik Ramstad donated the present site. Builders laid the cornerstone of what is now Old Main in 1913. Pending completion of the buildings, the school opened in temporary quarters at the Minot Armory September 30, 1913. President Crane and 10 teachers were on staff at that time. Pioneer Hall opened March 1, 1914, followed by the Main Building April 7, 1914. President Crane left in 1921 and was succeeded by George A. McFarland. In 1924-25, the State Board of Administration raised the Normal School to full collegiate rank, changing the name to Minot State Teachers College.

In 1942, the Navy V-5 and V-12 programs brought 600 young men on campus. A total of 1,654 men were trained in the officer candidate and pilot training programs from July 1942 to November 1945.

In 1954, Dr. Casper P. Lura took over as president and, in 1958; a new library replaced the small one that had been located in Old Main. The institution was changing from a teacher's college to a comprehensive state college and the institution offered its first graduate degree, a master's degree in speech pathology. In 1967, Gordon B. Olson became president. During the 1970s, the university saw substantial growth in academic programs, and formally became Minot State University in 1987. Notable achievements of that time include the completion and dedication of the new Gordon B. Olson Library.

Upon the retirement of Dr. Olson in 1992, Dr. H. Erik Shaar became the seventh president of the institution, and the university saw the conversion of the university from quarters to semesters, the renovation of the Student Union, the renovation of the old library into Memorial Hall, and the uniting of all state universities into a single North Dakota University System under a Chancellor.

In 2004, Dr. David Fuller became Minot State University's eighth president. During the ten years Dr. Fuller served as president several academic enhancements were made including the revision of the General Education curriculum to become the General Education Centennial Program; securing federal grant funds to support first-year student success, mini-grants for faculty development, and POWER tutoring and mentoring centers; and securing private donations to establish the Severson Entrepreneurship Academy. In addition, academic majors were added in the areas of energy economics and finance, athletic training and bioinformatics. Athletics moved to NCAA DII and NSIC, wrestling and women's soccer were added, the marching band was reinstated, and Herb Parker stadium underwent significant renovations. Many updates and renovations were made across campus including a new Wellness Center. A geothermal heating and cooling system were also installed. The campus experienced significant increases in the number of out-of-state and international students, faculty and staff salaries

increased, as did alumni contributions. A Veteran's Service Center was also established.

In 2014, Dr. Steven Shirley became the ninth President of Minot State University. The University is comprised of three colleges: Arts and Sciences, Business, and Education and Health Sciences.

Graduate programs are now offered in Communication Disorders, Special Education, Education, Management, Math Education, Science Education, Music Education, and School Psychology.

Minot State University is a comprehensive public university whose purpose is to foster the intellectual, personal, and social development of its students, and to promote the public good through excellence in teaching, research, scholarly activity, and public service. Minot State University is an integral part of the state and region it serves, and its mission and purposes are linked inextricably to the needs, aspirations, and commonwealth of the people of North Dakota.

## Mission

Minot State University is a public university dedicated to excellence in education, scholarship, and community engagement achieved through rigorous academic experiences, active learning environments, commitment to public service, and a vibrant campus life.

## Vision

Minot State University will:

- Deliver high-quality education where, when, and how it is needed to a diverse, multi-generational student population.
- Prepare students and the institution for the evolving social and technological challenges of the world.
- Inspire scholarship and creative activity among students, faculty, and staff.
- Empower graduates with a distinctive combination of professional expertise and broad-based education to support varied careers and productive lives.

## Goals

1. Meet the educational needs of the local, regional, national, and global communities.
2. Recruit, retain, and value well-qualified students, faculty, and staff.
3. Create an institutional environment that supports student, faculty, and staff success.
4. Promote and support the well-being of students, faculty, and staff, enabling them to address challenges across generations.
5. Foster and grow collaborative partnerships locally, regionally, nationally, and globally.
6. Promote and recognize commitment to public service.

## Administrative Structure

Minot State University is part of the North Dakota University System (NDUS). This system is comprised of eleven institutions. The system is a unified governance structure, which provides coordination between campuses and enhances efficiency and effectiveness through policy formulation, policy regulation, and system planning.

The University, together with all other state supported colleges and universities in North

Dakota comprise the North Dakota University System (NDUS). This system is under the general administration and direction of the State Board of Higher Education (SBHE). Membership of the SBHE consists of eight persons appointed by the governor. Members serve a four-year term and may not serve more than two terms. Seven members are subject to Senate confirmation, each being selected by the governor from a list of three nominees submitted by a committee consisting of the State Superintendent of Public Instruction, the President of the Senate, and Speaker of the House of Representatives. The eighth member must be a student appointed by the Governor from a list of names submitted by the North Dakota Student Government Association. The student member serves a term of one year and may not serve more than two consecutive terms. In addition to the eight voting members, one non-voting faculty representative (elected by the Council of College Faculties) serves a one-year term and one non-voting staff representative (elected by the NDUS Staff Senate) serves a one-year term.

The SBHE meets at least nine times annually. Meetings are open to the public, in compliance with the North Dakota Open Meetings Law. Minutes are available to the public and routinely distributed to each NDUS institution.

The Chancellor of the ND University System is responsible for the management of the financial, educational, and other policies of the system and reports to the SBHE. The president and faculty of Minot State University are entrusted with the execution of the plans and policies of the SBHE.

### **President**

The president is the chief executive officer of Minot State University with responsibility to administer the affairs of the institution in accordance with SBHE policies, plans, budgets, and standards, including the management and expenditure of all institutional funds. Specific duties are outlined in SBHE policy 305.1.

### **Title IX Coordinator**

The Title IX Coordinator reports to the president, and monitors and oversees overall Title IX compliance, including training, education, communication, and administration of grievance procedure for all complaints against MSU students and employees. The Title IX Coordinator is available to explain and discuss both student and employee rights to file a criminal complaint because of sexual assault and violence. The Coordinator conveys the university's complaint process, including the investigation process, how confidentiality is handled, available resources, both on and off campus, and other related matters.

### **Athletic Director**

The Athletic Director reports to the president and is responsible for all athletic planning and budgeting for all athletic programs, and for compliance with all rules established by NCAA Division II and conference bodies in all intercollegiate contests.

Vice Presidents: All vice presidents report to the president: the Vice-President for Academic Affairs, the Vice President for Administration and Finance, the Vice President for Advancement, and the Vice President for Student Affairs.

### **Vice President for Academic Affairs**

The Vice President for Academic Affairs (VPAA) reports to the president and represents the university to external constituents. The VPAA is responsible for all academic matters, which includes academic program review, assessment, facilitation, and oversight of academic program delivery. The VPAA supervises the facilitation and implementation of academic policies, procedures, and the academic budget. The VPAA provides for faculty and administrative

development and supervises all procedures relating to human resource management of academic personnel. The VPAA provides leadership and support to the following areas in the implementation of the university mission, vision, and core values.

1. Associate Vice President for Graduate, Online, Distance, and Continuing Education: The Associate Vice President for Graduate, Online, Distance, and Continuing Education reports to the Vice President for Academic Affairs and is responsible for overseeing the policies and procedures related to the graduate programs. The Associate Vice President also chairs the Graduate Council and guides the council in strategic planning. In addition, the Associate Vice President provides leadership and supervision for online, distance, and continuing education courses and programs.
2. Director of the Academic Support Center: The Academic Support Center Director reports to the Vice President for Academic Affairs and is responsible for the development and implementation of a number of programs to assist with the success of MSU students, including first-year experience learning communities, engaged teaching support for faculty and staff, campus and community engagement opportunities for students, and peer mentoring and peer tutoring services. The Academic Support Center is committed to providing MSU students with an engaging and successful student experience.
3. Director of the Honors Program: The Director of the Honors Program reports to the Vice President for Academic Affairs and is responsible for the continuing development and administration of the program. This program offers a series of courses that together earn a minor or a concentration at MSU, as well as an Honors Program distinction on the student's transcript and diploma.
4. Director of the Library: The Director of the Library reports to the Vice President for Academic Affairs for the operation and services of the Gordon B. Olson Library. The chair manages the budget; is responsible for acquiring, processing, displaying, and circulating library materials, and is responsible for maintaining customary library records.
5. Chairs: The chairs report to the Vice President of Academic Affairs. In addition to teaching classes, the chairpersons have the major responsibility of directing instruction, developing curriculum within their department or division, and providing the Vice President for Academic Affairs with assessments of faculty, equipment, and operational needs of the unit. Chairpersons also have a major responsibility for evaluating faculty in their department or division and recommending reappointment, promotion, or tenure.
6. Executive Director of the North Dakota Center for Persons with Disabilities (NDCPD): The Executive Director of the NDCPD reports to the Vice President for Academic Affairs and is responsible for providing leadership to a diverse group of faculty and staff as they pursue projects and programs which benefit people with disabilities across North Dakota and the upper Midwest. This individual provides leadership in strategic planning, project and program implementation, budget management, and coordination of activities with other academic units.
7. Registrar: The Registrar reports to the Vice President for Academic Affairs and administers Records Office functions. The registrar provides leadership in the use of technology to improve services, coordinates registration for new and returning students, and oversees publication of the undergraduate catalog and term schedule of courses. The registrar interprets campus, state, and federal policy in response to questions and concerns related to academic records.
8. Director of Institutional Research: The Director of Institutional Support reports to the

Vice President for Academic Affairs and is responsible for evaluating and disseminating a wide range of data, as well as conducting institutional research to foster efficient campus planning and administration. This coordination and integration of data and provides analytical support for the Vice President of Academic Affairs and to MSU as a whole.

9. **Director of Academic Assessment:** The Director of Academic Assessment reports to the Vice President for Academic Affairs and manages and coordinates all academic assessment activities and processes within Minot State University. The Director manages the campus-wide academic assessment program, including co-curricular assessment. The Director works closely with faculty, chairs, the Office of Institutional Research, and administrators to ensure high-quality assessment and to promote a culture of continuous improvement across the institution.
10. **Director of the Office of Sponsored Programs:** The Director of the Office of Sponsored Programs reports to the Vice President for Academic Affairs and coordinates the administration of funded research and scholarship in addition to sponsored programs, ensuring that the university is in compliance with federal and state regulations related to the administration of grant-funded projects and programming. The director provides assistance in identifying funding agencies, foundations, and resources that can support the scholarship activities of faculty and staff, provides training to faculty and staff regarding proposal and budget preparation and management of funded projects, and works with the Institutional Review Board (IRB) and the Institutional Animal Care and Use Committee (IACUC). Currently, the Vice President for Academic Affairs serves in this role.
11. **The Director of Access Services:** The Director of Access serviced reports to the Vice President for Academic Affairs, and promotes self-awareness, self-determination, and self-advocacy, while ensuring individuals with disabilities have the same access to programs, opportunities, and activities as all others. Students are assisted in making reasonable accommodations and/or adjustments to meet their individual needs.
12. **Director of POWER Student Support Services:** The Director of POWER Student Support Services reports to the Vice President for Academic Affairs and oversees services developed to increase the likelihood of academic, personal, and professional success for students considered to be at risk.

### **Vice President for Administration and Finance**

The Vice President for Administration and Finance (VPAF) reports to the president. As chief fiscal officer, this individual is responsible for budget preparation and control, purchasing, payroll, business office, non-academic personnel, human resources, financial aid, safety and security, facilities buildings and grounds, investments, staff support for the university foundation, auxiliary enterprises, inventories, accounting and finance, insurance, risk management, repair and replacement of equipment and facilities, debt service, negotiation of bids, quotations, and grants and contracts.

1. **Bookstore Manager:** The University Bookstore is managed by Barnes and Noble. The bookstore manager provides informational reports to the Vice President for Administration and Finance and is responsible for all bookstore activities including financial and personnel management, store operations including the purchasing and selling and rentals of textbooks and e-books, and customer relations.
2. **Assistant Vice-President, Business Services Controller:** The Controller reports to the Vice President for Administration and Finance, and is responsible for managing and



- supervising accounts payable, accounts receivable, purchasing, grants and contracts, accounting, payroll, fiscal reporting, and loan collections and mail services.
3. Director for of Facilities Management: The Director of Plant Services reports to the Vice President for Administration and Finance and is responsible for the maintenance of the grounds and physical facilities, construction and remodeling projects, power plant operations, parking, mailroom operations and security and management of state motor pool vehicles.
  4. Director of Human Resources: The Human Resources Director reports to the Vice President for Administration and Finance and is responsible for the administration of the employment and classification process, policy interpretation, and advising on human resource issues.
  5. Director of Information Technology Center (ITC, or Network Services): The Information Technology Director reports to the Vice President for Administration and Finance, and is responsible for the leadership, management and direction of technology at the university, which includes building and maintaining the backbone network, purchasing and installing computers, maintaining computer labs, and helping faculty and staff with computer problems.
  6. Director for Campus Safety and Security: The Director of Campus Safety and Security reports to the Vice President for Administration and Finance and is committed to ensuring a safe and secure campus environment for all students, faculty and staff. The director works closely with state and local law enforcement agencies and other community safety groups to establish proactive measures to prevent crime on our campus. The director supervises all security personnel and oversees proper operation of campus security measures such as building access devices, security cameras, and Blue Light emergency call stations. When inclement weather or other situations arise requiring campus closure or delay of classes, the director initiates the process in consultation with local law enforcement, city and school officials, and Air Force base personnel.
  7. Student Financial Aid Director: The Student Financial Aid Director reports to the Vice President for Administration and Finance and is responsible for the financial aid application processes for students, the allocation of student loans, scholarships, Title IV programs, and student employment funds.

#### **Vice President for Student Affairs and Intercollegiate Athletics**

The Vice President for Student Affairs (VPSA) reports to the President and works closely with the Vice President for Academic Affairs. This individual is responsible for those non-academic activities and services of the University in which students are the principal participants and organizers, and also supervises student social and cultural activities, as well as resident life activities.

1. Director of Enrollment Service: The Director of Enrollment Services reports to the Vice President for Student Affairs and is responsible for the admissions and application process for students, and develops and supervises strategies for the recruitment of students to MSU.
2. Director of Native American Cultural Center: The Native American Cultural Center Director reports to the Vice President for Student Affairs and provides assistance and technical support to the Enrollment Services Office in minority recruitment, counseling, advocacy and liaison services. This position also oversees the Native

- American Cultural Center and serves as advisor to the Native American Cultural Awareness Club.
3. Director of Residence Life: The Director of Residence Life reports to the Vice President for Student Affairs and is responsible for managing campus housing and discipline.
  4. Student Publications Advisor: The Student Publications Advisor reports to the Vice President for Student Affairs and is responsible for advising and overseeing the publication and dissemination of the Red and Green campus newspaper.
  5. Director of Student Center: The Student Center Director reports to the Vice President for Student Affairs and is responsible for scheduling the use of Student Center facilities and equipment, and oversight of student activities on campus. This director serves as co-advisor to the Student Government Association and is responsible for the ID process on campus.
  6. Director of Career Center: The Director of the Career Center reports to the Vice President for Student Affairs and is available to assist students in the process of choosing a career field and selecting the appropriate academic major. This office provides student placement services for both part-time and full-time temporary and permanent employment, assisting with resume/cover letter content and presentation, and interviewing techniques. The office also provides workshops to enhance student success.
  7. Director of Student Health and University Counseling: The Director of Health, and University Counseling reports to the Vice President for Student Affairs and is responsible for the oversight of Student Health Clinic and University Counseling.
  8. Director of Veterans Center: The Director of the Veterans Center reports to the Vice President for Student Affairs. The Veterans Center offers a single point of contact for veterans and active duty military personnel, as well as their dependents, to assist them with all aspects of admission to and successful matriculation at MSU. Some of the services provided include assistance with completion of the admission application and requesting transcripts from other colleges, VA education benefits application and certification process, and student financial aid applications.
  9. Director of Wellness Center: The Director of the Wellness Center reports to the Vice President for Student Affairs and is responsible for the overall management of the Student Wellness Center.
  10. Director of International Programs: The Director of International Programs reports to the Vice President for Student Affairs. The director is responsible for development of systems and processes to support MSU's international programs including international students on campus, study abroad, faculty-led study tours, and faculty and scholar exchanges.

**Vice President for Advancement and Executive Director MSU Development Foundation**  
 The Vice President for Advancement (VPA) reports to the President. This individual directs and coordinates all fund-raising activities. This individual works closely with three different advisory boards: the Development Foundation Board, the Board of Regents, and the Alumni Board. This individual solicits scholarships and gifts from alumni and other groups, and assists when requested by the university with compilation and presentation of data relating to various aspects of University operations. The VPA is also extensively involved with the Board of Regents and

the Foundation and oversees the Alumni, University Communications, Publication and Design Services and Marketing offices.

1. Director of Alumni Relations and Annual Giving: The Director of Alumni Relations and Annual Giving Major Gifts reports to the Vice President for Advancement and is responsible for all activities relating to alumni of the University. This person is also responsible for identifying, researching and soliciting major gifts for the University from alumni, friends of the university, foundations and corporations.
2. Director of Public Information University Communications: The Director of Public Information University Communications reports to the Vice President for Advancement and is responsible for news releases, media relations, and coordination of various public relations projects and activities.
3. Director of Publications and Design Services: The Director of Publications and Design Services is responsible reports to the Vice President for Advancement. The printing service area is responsible for all printing from inception to completion of projects, including, but not limited to, design and layout of all university stationery, brochures, classroom materials for faculty, and special printing projects.
4. Director of Marketing: The Director of Marketing reports to the Vice-President for Advancement and is charged with keeping Minot State University in the public's eye through dynamic messages that exemplify the tagline, "Be Seen. Be Heard. Belong." With effective, contemporary communication methods and cooperative projects, the Director of Marketing seeks to strengthen positive relationships between the campus and surrounding communities. The Marketing Director provides valuable educational, photographic, video, graphic, publication and design services to support campus entities' efforts to effectively communicate and market Minot State University.
5. Major Gifts Officers: The Major Gifts Officers report to the Vice President for Advancement. These individuals are responsible for managing and cultivating relationships with existing major gift prospects, identifying new prospects, and build relationships by stewarding donors and working collaboratively with and in support of university administration, faculty and staff.

## Institutional Committees

The following committees are institutional committees under the auspices of the President. Unless otherwise noted, any student representatives on these committees are appointed by the Student Government Association President.

### Academic Advising Council

Standing members: Academic Support Center Advisor, College of Business (COB) Professional Staff Advisor, and the VPAA.

Additional Members: There are three College of Arts & Sciences faculty, two College of Business faculty, three Education and Health Sciences faculty, and three Student Government Association members.

Method of selection: The faculty and staff members are appointed by the Vice President for Academic Affairs and the President. The student members are appointed by the Student Government Association President.

Term: Faculty members serve a three-year term, with staggered terms. Staff terms are permanent

positions. Student terms are one year.

Method for filling a vacancy: When a faculty or staff vacancy arises, the committee chair requests a replacement from the VPAA and President.

Duties: The Academic Advising Committee was formed to continue the work of the Academic Advising Task Force. The committee reviews academic advising across campus and makes recommendations to enhance advising services. Membership includes faculty, staff and students serving from a variety of disciplines.

### **Athletic Advisory Council**

Membership: Director of Athletics, ex officio, Faculty Athletic representative, a faculty member from each college, one administrative representative, one Beaver Booster member, one SGA member, one student athlete.

Method of selection: The Director of Athletics provides the one student athlete and the Beaver Boosters representative; the Faculty, Senate presidents appoint their college representatives, MSU's President designates the one administrative representative, the Faculty Athletic representative.

Term: Students serve a one-year term; others serve staggered three-year terms and may be consecutive for up to three terms.

Method for filling a vacancy: When a vacancy arises, notification is given to those entities responsible for the initial appointments.

Duties: The Athletic Advisory Committee advises the Director of Athletics and MSU President regarding the athletics budget, sports configuration, gender equity/Title IX, and facilities. The AAC reviews student-athlete welfare issues, playing a significant role in modifying university policy to better serve student athletes.

### **Campus Sustainability Committee**

Membership: Consists President, VP Student Affairs, VP Finance & Administration, custodial supervisor, faculties supervisor, residence life director, two faculty, two staff, and four students.

Method of selection: Staff and faculty are appointed by their governing bodies; students are appointed by Student Government Association.

Term: Students serve a one-year term. There is no fixed term for other members. Method for filling a vacancy: When a vacancy arises, the chair of the committee requests a replacement from the appropriate governing body.

Duties: To facilitate the ability of faculty, staff, and students to reduce the campus ecological footprint, to provide community leadership in sustainability issues, and to educate both the campus and community about sustainability issues.

### **Co-Curricular Committee**

Membership: Vice President for Academic Affairs, Asst. Vice President for Academic Affairs, Director of Academic Assessment, Director of Enrollment Services, Director of the Academic Support Center, Director of Residence Life, Director of the Honors Program, Director of Wellness Center, Four faculty members, Two SGA representatives.

Method of selection: Selected by the Vice President for Academic Affairs

Term: One-year, reappointed yearly

Method for filling a vacancy: Replacements for faculty members will be selected by the Vice President for Academic Affairs, SGA members will be replaced yearly with selections by SGA, other vacancies will be filled by their replacement in the position

Duties: To define and identify co-curricular activities, to develop co-curricular assessment system, to oversee and monitor co-curricular assessment system, and to report results of co-curricular assessment to campus stakeholders and accrediting bodies

### Commencement Committee

Membership: Vice President for Academic Affairs (co-chair), Registrar (co-chair), Vice President for Student Affairs, two faculty, one bookstore representative, one plant services representative, and one student representative, one faculty from music. Additionally, the following will provide support: Grad School, President, VPAA, Registrar, and Dome personnel.

Method of selection: The student is appointed by the Student Government Association President. The two faculty members are appointed by the Faculty Senate President.

Term: The student and faculty members appointed by their respective governing bodies serve one-year terms. There is no fixed term for the other members.

Method for filling a vacancy: When a vacancy arises, the committee chair notifies the appropriate supervisor and forwards a list of nominees to the University President.

Duties: In consultation with the president, this committee selects and secures the annual commencement speaker, and oversees all activities pertaining to commencement. This includes music selection, generating the programs, making stage arrangements, organizing the faculty-graduate processional, and arranging for ushers and processional marshals.

### Diversity Council

Membership: Standing members of the Diversity Council include the NDUS Diversity Council representative; the heads of Access Services, Human Resources, the Native American Cultural Center, and the Office of International Programs; and, the campus minister. Appointed members are nominated by the Faculty Senate and the Staff Senate; NDCPD; the Athletics Diversity and Inclusion Council; and the Student Government Association. At least one staff member and one faculty member from each college are nominated to serve as well. The Council's officers include a chair, vice-chair, secretary, and treasurer, with the chair appointed by the university president and the other officers elected to one-year terms.

Method of selection: Members are solicited from among all interested members of the campus community. They are nominated by the Council's chair and appointed by the university president.

Term: Appointed members serve a three-year renewable term except for the SGA representative, who serves a one-year term.

Method for filling a vacancy: Those interested in joining should contact the Diversity Council chair or any member of the Council.

Duties: The Minot State University Diversity Council promotes and builds a diverse and inclusive university climate by extending diversity, equity, and inclusion awareness throughout the campus community. The Council provides matching-funds grants to

campus organizations and events that support diversity, equity, and inclusion; advocates for a diverse and inclusive campus community; and, formulates and forwards to the university president recommendations to enhance a diverse and inclusive campus.

### **Graduate Council**

**Membership:** The Graduate Council consists of the Associate VP for Graduate, Online, Distance and Continuing Education, one elected graduate faculty member from each graduate program (not including separate tracks within programs), two at-large graduate faculty members appointed by the Associate VP for Graduate, Online, Distance and Continuing Education, and three graduate students who are enrolled and in good standing. The Vice President for Academic Affairs and Registrar are ex-officio non-voting members. To be eligible to serve on the Graduate Council or to vote on graduate issues, faculty must hold the status of Full Graduate Faculty or Associate Graduate Faculty.

**Method of selection:** Faculty are elected by the graduate faculty from their own programs, and both they and faculty appointed by the Associate VP for Graduate, Online, Distance and Continuing Education and serve for three-year terms.

Student members are recommended by the Graduate Council member representing the specific program and voted on by the Graduate Council.

**Term:** Graduate faculty members are elected to serve staggered, three-year terms with one third of the members elected each year. Student members serve one-year terms.

**Method for filling a vacancy:** The Associate VP for Graduate, Online, Distance and Continuing Education contacts the program director of the program not represented. The graduate program then elects a replacement and forwards that name to the Associate VP for Graduate, Online, Distance and Continuing Education.

**Duties:** Acting within the policies of the Graduate Council Charter, Minot State University, and the State Board of Higher Education, the Graduate Council is the policy and governance body dealing with matters that affect graduate students and graduate programs for Minot State University.

The Graduate Council cooperates with the Faculty Senate in all matters that lie within the province of both bodies. All graduate curricular issues are approved by the Graduate Council and proceed directly to the Faculty Senate for final approval.

### **Graduate Student Rights**

**Membership:** The Graduate Students Rights Committee members include the Vice President for Academic Affairs as chairperson (a non-voting member of the committee), three students elected by the graduate student body, three graduate faculty members elected by the graduate faculty, and the Associate Vice President of the Graduate School. A member of the Registrars' Office is a non-voting, ex-officio member of the committee.

**Method of selection:** The Graduate Student Rights Committee is formed each year no later than October 1. See Membership for method of selection.

**Term:** Graduate students and graduate faculty members are subject to change annually based on membership.

**Method for filling a vacancy:** students and faculty are elected by their respective graduate constituents.

Duties: The Graduate Students Rights Committee examines issues of academic honesty, grade appeals, and other student rights matters as deemed appropriate.

### **Institutional Review Board (IRB) for the Protection of Human Subjects in Research**

Membership: Membership is determined by regulation 46.107 of the Code of Federal Regulations 45 CFR 46.

The chairperson and vice-chair are faculty with degrees at the doctoral level. The chairperson and vice-chairperson are nominated and elected by the IRB with university presidential approval. The chairperson's and vice-chair's position may be renewed yearly.

The board shall consist of at least five members and are appointed for one year, subject to renewable terms with approval by the president of the university: a) a person not otherwise affiliated with MSU, who is not part of the immediate family of a person affiliated with Minot State and whose primary concerns are in non-scientific areas; b) two faculty members from areas often associated with research involving human subjects, c) a faculty member from an area not normally associated with research involving human subjects; and d) an attorney who practices law within the community.

These voting members must constitute a mix of men and women. In addition, the IRB may invite individuals with competence in special areas to assist in the review of complex issues which require expertise beyond or in addition to that available to the IRB. These individuals do not have IRB voting privileges.

Method of selection: The committee chairperson nominates potential members with approval of current committee subject to approval of the president.

Term: The five faculty members serve one-year terms that may be renewed annually.

Method for filling a vacancy: When a vacancy arises, the chairperson nominates a new member with approval of the IRB committee members subject to approval by the University President.

Duties: The Institutional Review Board will ensure that research activities conducted in association with Minot State University comply with federal regulations established to protect the rights of subjects who participate in research projects. One of the primary responsibilities of the IRB is assessing risks and benefits to human subjects. In respect to the risk/benefit analysis, research projects are submitted under one of the three categories: exempt, expedited, or full board.

### **The Institutional Animal Care and Use Committee (IACUC)**

Membership: Seven members that must include a scientist, a nonscientist, an unaffiliated member, and a veterinarian.

Method of selection: The CEO (president) of Minot State University appoints the Institutional Official (IO) and delegates the authority to appoint the IACUC to the IO. The IO appoints the IACUC members and designates one as chair.

Term: Indefinite.

Method for filling a vacancy: The IO appoints a new member using the above criteria. If the IO were to leave, the university president appoints a new IO.

Duties: The IACUC is the self-regulation committee that oversees the animal care programs at Minot State University. The committee performs semi-annual program evaluations and facility

inspections of animal-care programs. In addition, the IACUC advises the Institutional Official of the status of Minot State University's compliance with federal policy and laws, establishes plans and schedules for correcting deficiencies necessary either to maintain or achieve compliance, and makes recommendations to the IO regarding any aspect of Minot State University's animal program, facilities, or personnel training. The IACUC reports to the Office of Laboratory Animal Welfare (OLAW) on an annual basis as to the status and compliance of the animal care program at MSU. The IACUC reviews and approves animal use protocols and reviews any concerns involving the care and use of animals at MSU and has the authority to suspend any activity that does not comply with policy and laws.

### **International Advisory Committee**

**Membership:** Membership includes the Director of International Programs, representation from each of the three colleges, Faculty Senate, Administration, Student Affairs, Business Office and members-at-large.

**Method of selection:** The Director of International Programs is a standing member. The Faculty Senate President secures representation from each of the three colleges.

**Term:** Ongoing.

**Method for Filling a Vacancy:** Those responsible for initial appointments provide replacements as needed.

**Duties:** The International Advisory Committee oversees and guides the process of internationalization at Minot State University. The IAC advises on policy and procedure that relates to international students, study abroad and other campus projects with an international focus. It reviews proposals and provides recommendations to the Vice President of Academic Affairs regarding all faculty-led study tours and other study abroad efforts. The IAC supervises the development of international cooperative partnerships to ensure that these institutional relationships are initiated in a sustainable and deliberate manner.

### **Online Studies Committee**

**Membership:** Standing members include the Associate VP for Graduate, Online, Distance and Continuing Education, the Student Government Association (SGA) president, a Student Services representative, an Office of Instructional Technology (OIT) representative, a representative from Information Technology (IT) Center. Additional members: three faculty from each of the three colleges, a department chair, two students.

**Method of Selection:** For those with term limits, the University President appoints the faculty members' department chair. The SGA president appoints student representatives.

**Term:** Ongoing for standing members. Faculty serve a three-year appointment; the department chair serves for two years.

**Method for Filling a Vacancy:** Those responsible for initial appointments provide replacements as needed.

**Duties:** The Online Studies Committee (OSC) submits recommendations for improvements to MSU Online to the Vice President for Academic Affairs. The OSC reviews requests for development stipends for online undergraduate and graduate courses, generates study opportunities for innovation in MSU Online, and assists in formulating policies involving MSU Online.



### **Retain and Graduate Committee**

Membership: Chair-Vice President for Academic Affairs or her designee, Director of Academic Support Center, Director of Financial Aid, Director of Institutional Research, Registrar, Director of Residence Life, Director of POWER Center, two faculty members, two students

Method of selection: Selected by the Vice President for Academic Affairs with assistance from Faculty Senate and SGA for faculty and student representatives, respectively.

Term: Appointed annually.

Method for filling a vacancy: By appointment with assistance from Faculty Senate and SGA for faculty and student representatives, respectively.

Duties: Committee Charge: Develop, implement, assess and propagate retention strategies and practices that address and improve retention and completion rates and student learning at Minot State University, which are important factors to meeting institutional goals of increasing enrollment and improving the quality of the educational and campus life experiences.

Action Items: Meet at least once a month to plan, implement, and assess retention strategies to meet goals articulated in Minot State's Strategic Plan. Analyze and communicate retention data and effective practices across campus every semester, beginning spring 2018. Recommend the implementation of programs for identifiable sub-populations groups such as, but not limited to, lower division, transfer, adult-learners, graduate students, first-generation, and other groups with identifiable student success gaps. Evaluate institutional policies, practices, and procedures as they pertain to retention of students.

### **Strategic Planning and Budgeting Council**

Membership: VPAA (chair), VPAF, VPSA, Athletic Director, Associate VP, Director of Institutional Research, Director of Marketing, Director of Enrollment Services, six faculty (two from each college), two staff representatives, two student representatives.

Method of selection: Members are nominated by respective governance groups and appointed by the President.

Term: Appointed annually.

Method for filling a vacancy: See method of selection.

Duties: To implement MSU's strategic plan, Empowering Generations, and to advise in the budget development and required University budget modification processes. To identify priorities and create implementation calendars along with the funding mechanisms to ensure Minot State University's success. To review MSU's strategic goals, objectives, and action items as needed.

### **Student Fee Committee**

Membership: Membership consists of four faculty or administrative representatives and four student representatives.

Method of selection: Four faculty or administrative representatives are appointed by the University President. The four students are appointed by the SGA president.

Term: Each representative serves a one-year term.

Method for filling a vacancy: The respective president appoints a member.

**Duties:** This committee allocates and administers student activity funds. The Student Fee Committee, established by the SBHE, has access to all institutional information necessary for administration of the funds.

### **Student Rights Committee**

**Membership:** Vice President for Academic Affairs, Vice President for Student Affairs, chairperson of Department/Division in which the student is enrolled, the Registrar, Director of Financial Aid, three faculty members, three student representatives.

**Method of selection:** Faculty are appointed by the Faculty Senate; students are appointed by the Student Government Association.

**Term:** Faculty serve a two-year term; students serve a one-year term.

**Method for filling a vacancy:** Faculty Senate and Student Government Association appoint new members for vacancies.

**Duties:** The primary purview of the Student Rights Committee is to hear grade appeals. It is also the committee to which students can appeal to contest a ruling handed down by the Student Welfare & University Affairs Committee.

### **Student Welfare and University Affairs Committee**

**Membership:** Membership consists of the Student Center Director, the Student Activities Coordinator, two faculty and four students.

**Method of selection:** The Faculty Senate President appoints the two faculty members. The Student Government Association President appoints the four student representatives.

**Term:** The faculty and students serve one-year terms.

**Method for filling a vacancy:** The respective president appoints a replacement.

**Duties:** This committee deals with issues affecting student life. Its three primary duties are: a. working with the Student Senate to approve new campus organizations, b. oversee the selection process for “Student Leadership and Engagement Award,” and c. serve as a committee of original jurisdiction or as an appeals committee, depending upon the circumstances. Appeals from this committee go to the Student Rights Committee. For further information: <http://catalog.minotstateu.edu/graduate/student-conduct-policy/>.

### **Teacher Education Administrative Council**

**Membership:** Assistance Vice President for Academic Affairs, Associate VP of Graduate, Online, Distance and Continuing Education, Chairpersons from CAS, COB, TEHP, SPED, Director of Teacher Ed and Field Placement, and Co-chair of P&P.

**Duties:** TEAC is the Teacher Education Administrative Committee. The committee is charged with approving policy related to teacher education, program issues related to teacher education, and issues such as admission, probation, retention, as it relates to teacher education. This committee is required to meet accreditation.

### **Faculty Senate**

Faculty Senate is the responsible body of the faculty, with power to act for the faculty. It consists of the President of the University, the Vice President for Academic Affairs and elected faculty members. For a complete description of Faculty Senate rules and committees, see the Constitution and Bylaws in Appendix A and B, or online at <http://www.minotstateu.edu/senate/>.



## Section B: Procedures Affecting Faculty

### All-faculty and All-school Meetings

#### Convocation All-faculty Meeting

At the annual fall convocation, after MSU staff are excused, faculty will remain in attendance for an all-faculty meeting led by the Faculty Senate President. During this meeting, the Faculty Senate President will present a summarized report of the findings from the Faculty Satisfaction Survey administered during the previous academic year. MSU administration will be invited to attend the all-faculty meeting if they choose to respond to any findings contained in the report. Additionally, the Faculty Senate President will seek nominations for any at-large vacancies on Faculty Senate Committees. Nominees will either be included on the ballot during a special election or considered for appointment to committees depending on the procedures outlined in the Faculty Senate Bylaws.

#### All-school Faculty Meetings

On the same day of the annual fall convocation, each school will hold an all-school faculty meeting led by the Department Chairs within each respective school. While these meetings could be utilized in a variety of ways, the primary function of all-school faculty meetings is to identify nominees for vacancies on Faculty Senate Committees and Institutional Committees. Nominees will either be included on the ballot during a special election or considered for appointment to committees depending on the procedures outlined in the Faculty Handbook (Institutional Committees) or Faculty Senate Bylaws (Faculty Senate Committees). Department Chairs will forward all nominees to the Faculty Senate President for subsequent action.

### General Information

#### Program Requirements

Faculty should review and become familiar with the applicable (undergraduate or graduate) catalog and their specific program requirements. Information for each program is subject to change; therefore, close contact with your department is recommended. It is also critical that any special assessment and related reporting requirements are identified for the courses taught. For instance, all general education courses are required to conduct a general assessment of learning as specified by the department.

The current undergraduate catalog is found at <http://catalog.minotstateu.edu/undergraduate/>; the current graduate catalog is found at <http://catalog.minotstateu.edu/graduate/>. Faculty are encouraged to become familiar with the Student Handbook, as it outlines student behavior expectations and other important policies. The current Student Handbook is found at [https://www.minotstateu.edu/student\\_handbook.pdf](https://www.minotstateu.edu/student_handbook.pdf).

#### Academic Freedom

Minot State University's Faculty Senate Constitution states: Academic freedom is the unhampered opportunity to seek the truth in any field. Minot State University recognizes that true education takes place only if academic freedom is the inviolable right of both students and faculty. The University, therefore, shall enjoin all its members to promote and to practice academic freedom.

#### Parking Permits for Employees

For the most current information about parking and parking permits, please visit the MSU Parking website: <http://www.minotstateu.edu/parking/>. The Parking Office is located on the first floor in the Student Center in the Post Office. Hours: 8 a.m. – 4:30 p.m. Monday through Friday. Phone: 701-858-3318. Email: [msu.parking@minotstateu.edu](mailto:msu.parking@minotstateu.edu). The parking permit fee and revenue from parking fines is used for campus improvements and projects. Direct all questions to the Vice President for Administration and Finance at (701)858-3331.

Enforcement —(ticketing) is 24 hours a day 7 days a week. Parking permits must be displayed Monday through Friday (8 a.m. - 4:30 p.m.). Parking in front of Old Main is permitted without a permit after 4:30 p.m. Illegal handicapped parking is monitored year-round by the City of Minot and violators may be ticketed on any day, at any time. Employees can purchase a parking permit on-line or over the counter at the parking office. Students must purchase their parking permits on-line.

Parking Fee — Reserved Permit: \$65.00 per year (subject to change).

Bismarck State College Parking — NO parking passes are required for Minot State University evening classes on the Bismarck State College campus.

### Getting an E-mail Account

The URL address for the Minot State University website is <http://www.minotstateu.edu>. Important information about your classes and university/campus announcements will be sent throughout the semester via e-mail. It is an expectation that you will utilize this account for all email communications to the university and check the account regularly. To set up your e-mail account, contact the IT Central Help Desk at 701-858-4444 or go online to [www.minotstateu.edu/itcentral/](http://www.minotstateu.edu/itcentral/).

### Faculty Identification Card Eligibility and Procedures

ID Cards are created in the Photo ID office located on the 2nd floor of the Student Center. Faculty must be on contract and entered into PeopleSoft to obtain an ID card. A government issued photo ID must be presented at the time of card issuance. Faculty geographically removed from campus can forward a professional photograph with a copy of official identification (i.e. passport, driver's license, etc.) and the campus will create and forward the identification card.

MSU ID cards issued to students, faculty and staff are subject to the following policies:

**Property Rights:** The ID card is the property of Minot State University. The university reserves the right to revoke use of the card or any of its accounts at any time. The card is non-transferable and may be used only by the individual to whom it is registered.

**Debit Account:** The ID card, transactions related to the use of the card, and any account balances are the sole responsibility of the individual cardholder until the university is notified in writing that the card is lost or stolen. For all online accounts, the cardholder will not be held liable for any unauthorized transaction which occurs after the university has been notified of a loss, theft, or possible unauthorized use of the card. Money deposited into the debit account (Beaver Bucks Account) is subject to the terms and conditions of the debit account. Any money left in your individual Beaver Bucks Account will revert to the ID card Office two (2) years after becoming inactive. An application for deposit and a complete copy of these terms and conditions can be obtained at the ID Card Office.

**Damage or Alterations:** The cardholder will not damage or alter the card in any manner. This includes, but is not limited to, punching holes in or affixing stickers to the card.

**Card Replacement:** The cardholder is solely responsible for all fees associated with the card including the cost of replacing a physically damaged, lost or stolen card. A non-refundable fee is charged to replace a lost or stolen card.

**Benefits:** As a general rule, a Faculty ID will allow you the following benefits: Faculty and family members may attend Student Government Association sponsored events for which there is no charge. (Some exclusion may apply.) Faculty members are allowed free use of recreational/fitness facilities at the Dome. For more information call 701-858-3041.

**Wellness Center Card:** Faculty members may purchase memberships for the Wellness Center. The Faculty ID is used to check into the Wellness Center. For more information, please visit: <http://www.minotstateu.edu/wellness>.

**Faculty ID Card:** It may be used in the Library to check out materials and purchase photocopy credit.

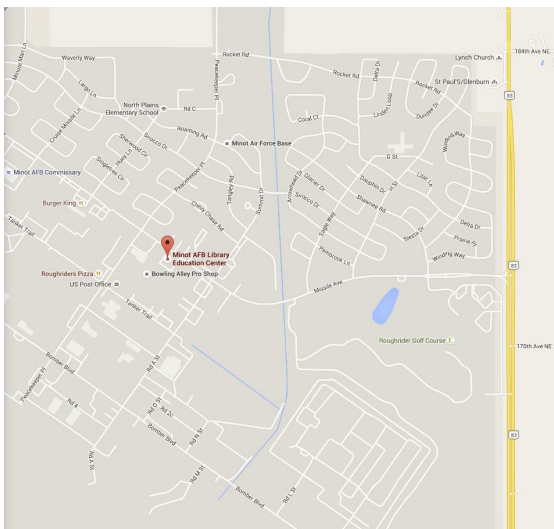
**University Privileges:** Faculty generally may attend all university-sponsored athletic events, music events, including ensemble concerts, faculty and student recitals, and Minot Symphony Orchestra concerts without charge. Exclusions: Free admittance not allowed to International Artist Series, Western Plains Opera Company productions, Minot Brass Band concerts, or other outside events held on the MSU campus.

MSU personnel and family/MSU students with an MSU ID are admitted free to Aleshire Theater Productions and are admitted at a reduced rate to MSU Summer Theater Productions. These prices do not apply to the annual Campus Players holiday production or Black Box Theater performances.

### **Access to Minot Air Force Base (MAFB) and the Base Education Center**

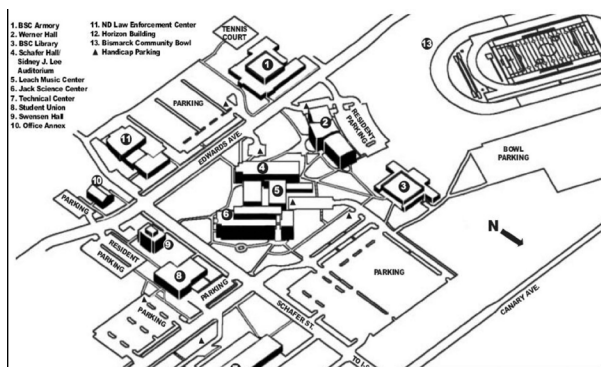
If your course meets on the Minot Air Force Base, contact the representative at the Base Education Center (701-727-9044). You will be sent the necessary instructions and forms to begin the process for gaining access to the Base. It is important you return completed forms immediately. The background check process required for your authorized access takes several weeks; bringing your vehicle on base will require that you show proof of insurance, your driver's license, and vehicle registration.

Classes are held on the second floor of the Base Education Center and Library, building number 156 (see map below). If you have not received the required forms at least two weeks before classes start, please contact the MSU office on-base at 701-727-9044.



## Access to Bismarck State College

Minot State University at Bismarck State College: Buildings and Related Services Office Annex (Building 10) in Room 202 Suite D - MSU Student Services Coordinator.  
Schafer Hall (Building 4) - Offices of MSU faculty and adjunct faculty (2nd and 3rd Floor).



## Instructional Equipment

Instructional equipment can be obtained by contacting your department/division. For instructional equipment assistance for courses taught at the Minot Air Force Base, contact the MSU representative on base at 701-727-9044. The Minot Air Force Base Education Office also provides equipment support and most of the classrooms have overhead projector and/or Smart Board technology. MSU faculty teaching at Bismarck State College should send instructional equipment requests to the MSU Student Services Coordinator at 701-224-5496.

## Textbook Orders

The MSU Bookstore will notify faculty via email of textbook order deadlines. You should confer with your department/division chair about policy for ordering textbooks for both online and

on-campus courses.

Faculty are encouraged to visit or contact the bookstore before classes start to ensure that requested book orders have been processed and are available for students.

Individual faculty are responsible for requesting published desk copies from their respective publisher representative. Adjunct faculty should contact the department/division chair to identify texts approved for particular courses.

See Textbook Selection and Sales of Educational Materials for additional policies.

### **Campus Closure Due to Inclement Weather**

The NotiFind system is used to announce all North Dakota University System campus closures and delays via email, voice messaging and texts.

For information regarding procedures used to determine need for campus closure, see:

[https://www.minotstateu.edu/hr/\\_documents/policies/delay-cancellation-closure-procedures.pdf](https://www.minotstateu.edu/hr/_documents/policies/delay-cancellation-closure-procedures.pdf)

Minot State University and MSU at Bismarck State College will also notify local radio and television stations when the campus is closed due to inclement weather. The university website will also post announcements of weather-related campus closure.

Minot Air Force Base (MAFB) will notify local radio and television stations when the base is closed due to inclement weather. If in doubt, attempt to contact the MAFB Education Center at 701-723- 2772, or the MSU representative on the base at 701-727-9044 or 1-800-777-0750, ext. 3822.

Highway 83 between Minot and MAFB closes when road conditions become extremely hazardous and life threatening. When this occurs, the North Dakota Highway Patrol notifies the public on local radio and television stations.

### **Library Materials and Support**

For information about placing items on reserve at the circulation desk, or arranging class library sessions, visit the Library home page at <https://www.minotstateu.edu/library/>.

### **Student Code of Conduct**

The Student Code of Conduct is outlined in the Student Handbook. All faculty should be familiar with the code. This Handbook link is: [http://www.minotstateu.edu/student\\_handbook.pdf](http://www.minotstateu.edu/student_handbook.pdf).

### **Teaching Load**

Responsibilities are determined by the College/Division/Department. These responsibilities will normally include 12 semester hours of assigned teaching per term, or its equivalent, and other professional effort. A full load for adjunct faculty will normally include 15 semester hours of assigned teaching per term, or its equivalent. Graduate faculty responsibilities will typically be nine semester credit hours per semester.

### **Copyright Compliance**

Faculty are expected to comply with all copyright laws. For information on copyright policies, contact the Gordon B. Olson Library.

### **Emeritus Faculty**

To be considered for Emeritus Faculty status, the following criteria must be met:

1. The faculty member must retire from Minot State University.



2. The faculty member must have rank of instructor, assistant professor, associate professor or professor when he or she retires.
3. The faculty member must have completed at least ten years of service to Minot State University.
4. The faculty member must have established a record of distinguished performance in teaching and/or forms of professional achievement.

To nominate a retired faculty member for emeritus faculty status, two faculty members from the retiring faculty member's department should write letters of support. The letters of support should be sent in sequence to the chair, vice president for academic affairs, and the president for approval. Faculty members normally will be nominated within one year of retirement.

The benefits that faculty awarded emeritus faculty status receive include:

- Special emeritus ID card. Special parking permit for use when on campus.
- Free admission to athletic contests, unless prohibited by regulations (such as playoffs or tournaments), with presentation of emeritus ID card.
- Free admission to theatre productions, unless special circumstances (such as Campus Players fundraiser) with presentation of emeritus ID card.
- Admission to Summer Theatre under the current faculty and staff admission cost.
- Employee privileges at music events with presentation of emeritus ID card.
- Employee privileges at the library with presentation of emeritus ID card.
- Employee privileges at the Wellness Center to purchase memberships with presentation of emeritus ID card.
- Employee privileges at the bookstore with presentation of emeritus ID card.
- Maintain MSU email account.
- Invitation to the Employee Appreciation Event.
- Invitation to the President's holiday party

(Approved FS, FY2013; updated 8/24/17)

### Posthumous Degree Policy Proposal

A deceased student may be considered a candidate for a posthumous degree when nominated by the academic division chair in which the student was enrolled at or prior to his or her death, and when minimum academic degree requirements have been verified. Posthumous degrees may be awarded at any career level.

#### Requirements for Nomination

1. A student must have been in good academic standing with the institution at the time of death. Good standing is defined as not being academically deficient for their classification (academic probation, continued probation, suspension or expulsion).
2. University requirements for earned credits in residence must have been satisfied.
3. Student must have been enrolled at time of death (summer excluded), or their continuous enrollment was interrupted by their injury, illness, deployment, etc.
4. The student must have been within 75% of degree requirements completed to be nominated for a posthumous degree.
5. The academic division in which the student was enrolled recommends the awarding of a posthumous degree.

#### Nomination/Approval Process

1. Anyone may identify a candidate for a posthumous degree, but such a suggestion must be made to the chair of the appropriate academic division for consideration and to begin the formal process.
2. The student's degree shall be audited by the Registrar's Office to verify program/plan and progress toward degree completion.
3. The chair of the academic division in which the student was enrolled will recommend the candidate for a posthumous degree in the form of a formal written request to the Vice President for Academic Affairs (VPAA). In the case of a BGS or BIS degree, the Vice President for Academic Affairs will write the request. The request must include the name and ID of the student, the degree/program/plan to be awarded, and the recommended semester for degree conferral.
4. If supported by the VPAA, the VPAA will submit the recommendation to the University President for formal approval. If approved by the President, the VPAA will notify the registrar to begin the process for degree posting and commencement proceedings, if applicable.
  - a. The President will inform the immediate family of the university's decision and desire to recognize their student with this honor (this process should be kept confidential until and unless approved at all levels).
  - b. If the family desires to represent the student and receive the diploma at a commencement ceremony, this must be relayed to the registrar for planning.

#### Miscellaneous Details/Considerations

1. A posthumous degree will be printed in commencement programs within the appropriate degree section. If the family chooses not to participate, this award will still be printed in the commencement program (unless explicitly requested otherwise by the family).
2. Exceptions to the aforementioned minimum requirements may be considered in special cases, with support of the academic division chair and VPAA and approval of the President.
3. The statement "*awarded posthumously*" will be printed on the student's academic record, but not on the diploma.

## General Responsibilities

### Faculty Presence in the Classroom

If you must miss a scheduled class, you must notify the department as far in advance as possible. If no advance notice is possible, you must make arrangements to notify your students. Your department Administrative Assistant can help communicate with students. For courses at Minot Air Force Base, contact the MSU representative at 701-727-9044 or 1-800-777-0750 ext. 3822. For courses at Bismarck contact the MSU Student Services Coordinator at 701-224-5496. If you must miss class and advance notice is possible, a substitute faculty may be able to cover your class. Arrangements for a substitute faculty must be made through your department.

### Online Instructor Presence

One of the most important factors in online student success is the instructor's presence and accessibility. Knowing the instructor is present provides a natural motivation and sense of student confidence. If possible, let students know when you plan to access the course. For example, will you work evenings or on weekends?

Online office hours are also critical. Minot State wants our online instructors to check their online courses for student activity and interaction at least daily, but when necessary, not to exceed a 48-hour period. If circumstances prevent your presence in the virtual classroom (i.e. death in the family, illness) you must notify your students, department, and MSU Online at the Center for Extended Learning (CEL) phone: 701.858.3822, so arrangements for temporary faculty can be made if necessary.

### **Classroom Assignment**

Room assignment on campus is done by the Associate Registrar, phone: 701-858-3684. If you need a particular type of classroom, make your request as early as possible. Rooms at Minot Air Force Base are controlled by the Education Center. Rooms at Bismarck State College (BSC) are arranged by the Student Services Coordinator phone: 701-224-5496 on the BSC campus.

Normally, classrooms are left open for day and evening sessions. However, should you arrive to find your classroom locked after regular operating hours, find the building custodian or call security at 701-858-4357 or 701-500-2423.

### **Syllabus Guidelines**

A syllabus is a contract between the faculty and the student. Once finalized, a copy of the syllabus is published online and available to students. Adjunct faculty should consult with the program chair to obtain access to the syllabus template for their course. Syllabi are archived with the department/division chair.

### **Confidentiality of Student Information**

Faculty must follow the Family Educational Rights and Privacy Act (FERPA) restrictions as outlined in the Undergraduate Catalog:

[https://www.minotstateu.edu/records/right\\_to\\_privacy.shtml](https://www.minotstateu.edu/records/right_to_privacy.shtml)

### **FERPA Basics for Faculty and Instructional Staff**

FERPA is a federal law designed to protect the privacy of education records. It also provides guidelines for appropriately using and releasing student education records. It is intended that students' rights be broadly defined and applied. Therefore, consider the student as the "owner" of his or her education record, and the institution as the "custodian" of that record. A FERPA-related college education record begins for a student when he or she becomes 18 or enrolls in a higher education institution at any age.

#### **Key Terms and Definitions:**

**Education Records:** Include any record maintained by the institution that is related to the student (in whatever format or medium) with some narrowly defined exceptions:

- Records in the "sole possession of the maker" (e.g., private advising notes).
- Law enforcement records created by a law enforcement agency for that purpose.
- Employment records (unless the employment is based on student status). The employment records of student employees (e.g., work-study, wages and graduate teaching associates) are part of their education records.
- Medical/psychological treatment records (e.g., from a health or counseling center).
- Alumni records (i.e., those created after the student was enrolled).

**Directory Information:** Those data items that are publicly releasable, so long as the student does not have a "No Release" on his or her record. Each institution establishes parameters for what constitutes directory information. Common examples include name, address (local, home and e-

mail), telephone (local and home), academic program of study, dates of attendance, date of birth, most recent educational institution attended, and degrees and awards received.

Directory information cannot include race, gender, SSN, grades, GPA, country of citizenship, or religion.

Every student must be given the opportunity to have even directory information suppressed from public release. That is referred to as a “No Release.” Everyone within the institution must respect a student’s “No Release” request.

Parent: With reference to FERPA, the term “parent” refers to either parent, if the student is financially dependent (IRS definition).

#### Basic Rights of Students

- Be notified of their FERPA rights at least annually.
- Inspect and review their records.
- Amend an incorrect record.
- Consent to disclosure (with exceptions).
- Inspection and Review: Students may see everything in their “education record,” except:
  - Information about other students,
  - Financial records of parents,
  - Confidential letters of recommendation, if they waived their right of access (which cannot be required).

There is no records retention policy under FERPA. It does not state what records you must make or how long you must keep them. Those are institutional decisions. You cannot destroy records upon request.

#### Right to Consent to Disclosure

Start with the premise that the student has the right to control to whom his or her education record is released. Then, there are several exceptions when that permission is not required. Historically, we had to have a signed release. Regulations now provide more flexibility for utilizing electronic signatures. The institution may release records without consent, but is not required to do so. Some examples of the exceptions for having a release include:

- School officials with a legitimate educational interest/need to know; employees and legal agents have access to education records in order to perform their official, educationally related duties.
- Disclosure to organizations conducting studies to improve instruction, or to accrediting organizations.
- Disclosure to parents of dependent students (IRS definition); check to see how your institution expects parents to show that dependent status.
- To comply with a judicial order or lawfully issued subpoena.
- Disclosure for a health/safety emergency.
- Disclosure of directory information.
- Some Specific Issues for Faculty and Instructional Staff

Posting Grades: Since grades can never be directory information, it is generally inappropriate to publicly post grades. However, if grades are posted in such a way that only the instructor and the individual student know the posted grade (e.g., with a personal ID; however not any portion of a SSN or institutional Student ID Number), that is acceptable. It is recommended that such a

posted list not be in the same order as the class roster or in alphabetical order.

**Course Websites:** Many courses are supported by class websites and/or discussion groups. Only directory information can be available to the general public and other class members, so it is recommended that such websites have a security layer such that only class members and instructors can access appropriate information.

## **Student Attendance Policy**

### **Enrollment Reporting**

After the seventh day of the 16-week fall/ spring semester and the fourth day of a summer or eight-week session, instructors are required to report students who have never attended any class sessions or never logged into their Internet course(s). Upon receipt of this report: The Registrar's Office will administratively drop or withdraw the student. "W" will be recorded on the student's official transcript and the course(s) will be subject to published refund schedule policies. The Registrar's Office will notify the student of the enrollment status changes.

If the student would like to re-enroll in the course(s), the student must submit to the Registrar's Office a completed ADD slip request signed by the course instructor and the chair overseeing the course, and a department/division stamp to verify the signatures.

Students are expected to attend all class sessions of their registered courses. Instructors may cancel a registered student who fails to attend any of the first three hours of class meeting time during the first ten instructional days. This provides early identification of class vacancies for wait-listed students.

Students who know they will be absent from any class should contact the instructor in advance.

### **Dropping Classes**

Lack of attendance does NOT guarantee automatic cancellation for students. Each student is held accountable for those courses selected at the time of registration. Only a "drop" properly processed by the student through Campus Connection will assure the student that a class has been dropped from his/her schedule of classes. Failure to officially drop a class or withdraw from the university will result in failing marks on the student's record.

### **Absences and Missed Assignments**

Students are expected to attend all scheduled class sessions. A student who does not complete assigned academic work because of absence from class is responsible for making up that work in accordance with directions provided by the course instructor. Faculty may establish attendance standards and will determine whether a student will be permitted to make up work missed as a result of absence(s). As a courtesy to students and faculty, the Student Life Office may contact faculty on behalf of the student for the following emergencies only if the student will be absent from classes for more than one week: hospitalization, death in the family, jury duty, military duties and family illness.

### **Absences due to Extra-curricular and Co-curricular Activities**

Minot State University has a commitment to students who represent the university in official capacities, such as in inter-collegiate athletic events, music, theatrical, and other college-approved activities. In enforcing their absence policy, it is recommended that faculty give due consideration to the important role that extracurricular activities play in the development of students, as well as to the benefits they provide to both our university and community.

Students must notify instructors of any scheduled absences within the first two weeks of the semester. In the case of later scheduled events, the instructor must be informed of the event as soon as possible. Instructors are encouraged to advise students of their absence policy at the beginning of the semester.

Faculty members who schedule co-curricular activities conflicting with a student's other scheduled classes must give students as much advance notice as possible to inform his/her other instructors and arrange for whatever makeup work, including examinations, may be required. If a satisfactory arrangement cannot be made, the student may appeal to the Department Chairperson of the course in which he/she is enrolled.

Please Note: Notifying the Student Life Office or faculty members through the Public Information Office DOES NOT constitute an excused absence. It is up to the discretion of the professor whether or not students will be excused from class or allowed to make up any missed work. Faculty members requiring an excuse to make up missed work must obtain it directly from the student.

## Minimum Class Size Enrollment

Minot State University is dedicated to ensuring that curricular programs and offerings are delivered in a timely and sequential manner giving students the confidence that they will complete their degree/ program requirements in a timely manner. To ensure efficient use of institutional resources, Minot State University has established the following policy on minimum class size. This policy does not apply to courses offered through the Center for Extended Learning.

The purpose of this policy is to define enrollments below which classes will be canceled. The university has established the minimum class enrollments limits:

- Undergraduate 100-200 level courses — 10 students
- Undergraduate 300-400 level courses — 8 students
- Graduate courses — 5 students

The following will be considered exceptions to the minimum class enrollment requirement:

- Independent study
- Clinical experiences
- Methods Courses
- Student teaching supervision
- Private lessons/Ensembles
- Honors Seminars
- Internships/Field Experience
- Practicum's/Capstone courses
- Independent/Directed Research/Thesis

The department chair, with approval of the Vice President of Academic Affairs, may offer courses below the minimum class size requirements when:

- The course is required for graduation, and if the class were canceled it would impede the student's normal progress towards graduation.
- The course is required in a program, and the class must be offered in a sequence or timing in order for students to maintain the proper sequencing of courses.

## Class Cancellation Procedure

One month prior to the first day of class, the Registrar's Office will provide weekly class section status reports to each department/division chair and the vice president for academic affairs. Two weeks prior to the first day of classes, the department chair will review the section status report and send a list of canceled classes to the Registrar's office, which will immediately notify the students that the class has been canceled.

If a faculty member has had a class canceled due to low enrollment, the chair, in consultation with the faculty member, will reassign the faculty members time to other courses or responsibilities. The chair will also send a list of courses, which are granted an exception under this policy, to the Vice President for Academic Affairs.

A class which fails to meet the minimum class size after two offerings will not be permitted to be placed on the term schedule unless compelling evidence is presented justifying its offering.

This policy will be distributed to chairs each time term schedules are created. Prior to registration, campus advisors will be sent reminders of the policy so they can share the policy with students. It should also be placed in the undergraduate and graduate catalogs as well and prominently displayed on campus connection where students can see the policy when they register for classes.

## Academic Integrity Code

Minot State University is committed to academic integrity. Incidents of academic dishonesty may be documented by the faculty member with a copy of the documentation maintained by the department/division chair. A letter of explanation will be sent to the student. Cheating may affect the student in accordance with the faculty member's grading policy. The student may appeal the faculty member's penalty to the department chair. Student disciplinary action may result in accordance with the Student Conduct Policy as found in the Student Handbook, Section Two: Academic Honesty. To enable tracking of repeated instances of dishonesty, faculty are required to report academic dishonesty in Starfish.

Dishonesty would include, but is not limited to, the following types of behaviors:

- Misrepresenting another individual's work as one's own, e.g. plagiarism from hard copy or the Internet.
- Copying from another student during an exam.
- Altering one's exam after grading for the purpose of enhancing one's grade.
- Submitting the same paper to more than one class without the prior approval of the instructors.
- Use of any material or device not approved by the faculty during an exam
- Turning in reports intended to be based on field collection data but, which are, in fact, not.
- Failure to respect the confidentiality of persons served or studied and to maintain the professional standards for ethical conduct as set forth in The Handbook of School Psychology published by the national Association of School Psychologists.

## Academic Advising

Minot State University maintains that academic advising is an important part of the educational process. Establishing a friendly and honest relationship with an academic advisor is advantageous. Effective advising helps students to maximize the educational benefits available to

them. Advisors can help students make connections to appropriate University resources.

*Although academic advisors are here to help, it is important for students to realize that they are responsible for meeting all graduation requirements.* Students can increase their academic planning effectiveness by fully utilizing the advising system, by thoroughly acquainting themselves with the academic requirements of their major and minor fields, as well as the University policies for registration and graduation. The Undergraduate Catalog is the official source of information on these matters.

Students are encouraged and in some departments are required to meet with their assigned advisor each term prior to completing registration. Each student is assigned to an Academic Advisor of Record upon admission to the University, based upon declared major. Advisor assignments are typically adjusted when a student officially changes his/her major. The student is responsible for meeting with the Advisor of Record to plan for the upcoming term prior to completing the registration process. Changes of advisor assignment may be requested from the department overseeing the student's major.

When academic advising employs best practice, it is a personalized, interactive, and intentional process in which the advisor helps students set and achieve academic, career, and personal goals. The advising process will incorporate respect for and engagement with all cultures, people, and points of view. Students will acquire relevant information and services to make responsible decisions consistent with interests, goals, abilities, and degree requirements. The desired result is that students will feel a connection with advisors and a sense of guidance, while realizing personal responsibility for exploring options and making decisions.

Faculty are assigned as academic advisors to students who have declared a major or minor within their academic program. Advisor assignments are adjusted when students officially change their major by submitting the online Major/Minor Change Form. Students can request a change of advisor within their academic program by contacting the department/division. Students are encouraged and in some departments are required to meet with their assigned advisor each term prior to completing registration. Advisor Responsibilities include:

- Serve as a student advocate
- Exhibit a caring attitude
- Be aware of current university resources and provide students with necessary referrals
- Be available to students through posted office hours, email, and appointment times
- Provide guidance to students as they set academic, career, and personal goals
- Be a responsive listener
- Understand and communicate curriculum, graduation requirements, and university policies and procedures
- Assist students in understanding degree requirements
- Assist students in selecting courses based on individual interests and abilities
- Monitor progress toward career and educational goals by maintaining accurate and up-to-date advising files
- Maintain confidentiality of student records
- Assist students in enhancing decision-making, problem-solving, and communication skills
- Participate in advisor training sessions to keep informed and current



## Grading

Academic policies are contained in the University undergraduate and graduate catalogs.

## Final Exams

Final exam schedules are prepared by the Registrar and published in the term schedule. Faculty are expected to use the exam period assigned for their classes as published. Any deviation from the schedule must have prior approval of the chairperson and Vice President of Academic Affairs.

## Final Grade Reports

Faculty members submit final grades through CampusConnection. All final grades are due at the published time and date for that semester. Undergraduate grades are reported in letter symbols: A (excellent), B (good), C (average), D (passing), and F (failure, no credit).

## Policy on Incomplete Grades

A student who has been in attendance, has done satisfactory work (C or better) during the term, and whose work is incomplete for reasons found to be satisfactory to the instructor may request an incomplete.

A Course Completion Agreement detailing the work to be completed and expected completion date must be signed and dated by both the student and instructor. The original copy of the agreement must be submitted to the Registrar's Office by the grade submission deadline. A copy of the agreement should be retained by the instructor and student.

If a grade change is not received by the Registrar's Office prior to the 1st Monday following the assignment completion date, the "I" grade will be automatically changed to the official grade as assigned on the agreement. Extensions will not be granted. The grade of Incomplete (I) is an administrative grade that may only be entered by the Registrar's Office with the exception of courses designated as practicum, internship, independent study, student teaching, field experience, or study abroad.

If the instructor chooses not to sign a Course Completion Agreement or the student does not request one, the instructor will submit the grade earned at the time of grade posting.

The instructor may complete the contract on behalf of the student for circumstances beyond the student's or faculty control. A summary must be attached to include the instructor communication attempts or actual communication with the student.

## Student Appeal of Course Grade Procedure

For the student who is dissatisfied with a final letter grade, and who has reason to believe that the grade issued is incorrect, the following appeal procedure is provided by the university:

Step 1: Within sixteen (16) weeks following the date of the original posting of the grade, the student shall confer with the instructor who issued the grade and outline the reasons why he/she believes the grade is incorrect. (If the faculty member is unavailable, the student is expected to contact the chairperson within this same time period.) Following the student-faculty conference, the instructor shall advise the student of the grade review outcome and shall process a grade change if appropriate.

Step 2: If the student still considers the grade to be incorrect, he/she may formally appeal to the instructor's department chair within 14 days of the completion of Step 1. Following the student-department chair conference, the chair shall advise the student of the course grade review outcome and shall process a grade change if appropriate.

Step 3: If the student still considers the grade to be incorrect, the student may formally appeal the grade at the "college level" within 14 days following the completion of Step 2. At this point, the student must obtain the procedure to be used from the office of the department in which the faculty member resides.

Step 4: If the student is still dissatisfied, the student may request that the case be reviewed by the Student Rights Committee. The formal request for the hearing must be received by the Registrar within 14 days after the completion of Step 3 and provide documentation of Steps 1, 2, and 3.

The Student Rights Committee will not review courses that have already been excluded from a student's GPA because they have been repeated. The decision of the Student Rights Committee is considered final. (Approved FS, 3/26/15).

## Satisfactory/Unsatisfactory Grading

Grades of Satisfactory or Unsatisfactory (as opposed to a traditional letter grade) are used in some courses at the University. A grade of "S" grants credit toward graduation, but does not affect a student's GPA. A grade of U also does not affect the grade point average, but does not grant credit toward graduation. The grading basis for all courses, including these offered strictly on an S/U basis is available in the registration software by selecting the icon for additional course details.

Students may request a change in grading option (letter grade to S/U grade) through the 42nd day of a regular (16-week) session in fall or spring semester, or through the 21st day of summer semester or eight-week course. The S/U option is open to all students in good academic standing, who have achieved junior year status with 60 or more semester hours. Students with an Academic Warning or on Academic Probation are prohibited from pursuing this option. No more than fifteen semester hours of elective S/U coursework can be applied toward a baccalaureate degree. The S/U option may not be used in those courses to be applied to the student's major, minor, general education requirements, or the professional education sequence. However, one S/U course may be applied to each area of concentration.

The S/U grading option is used to transcript nationally recognized academic tests such as the College Level Examination Program (CLEP), Advanced Placement (AP), and the American Council on Education (ACE). While individual test scores may be recorded at the University, it is the student's responsibility to ensure fulfillment of a program requirement through consultation with the program chair. Satisfactory/Unsatisfactory grading is also used to record graduate level professional development activities numbered 500 on the transcript, indicating workshop credit.

## CampusConnection

The CampusConnection portal provides secure and convenient access to your personal and campus information. Once students obtain a User ID and Password, they can return at any time to continue work on an application, check their application status, register for classes, view

grades, or update personal information. Faculty can view class rosters, post grades, and much more. Instruction for CampusConnection use are at [https://www.minotstateu.edu/cc/http://www.minotstateu.edu/cc/cc\\_v9.shtml](https://www.minotstateu.edu/cc/http://www.minotstateu.edu/cc/cc_v9.shtml).

Instructions and deadline information as it relates to enrollment reporting, midterm, and final grades will be emailed via the Minot State University email from the Registrar's Office.

## Email Policy

Electronic mail (email), postal, and campus mail are official means by which the University may communicate with students. MSU exercises the right to send emails to students via the students' Minot State University email accounts and expects that the received emails be read at least weekly.

## Address Policy

Students are required to update their mailing and home addresses within 30 days of moving. If a student's address is determined to no longer be valid, a hold will be placed on the student's account until he/she updates his/her address.

## Student Policies

### Course Registration

Registration takes place over a one-week period toward the middle of each semester. Registration priority is determined by the number of credits completed. Students may not register earlier than their assigned time, but they may register later. Refer to the schedule of classes published each semester online either in CampusConnection or on the MSU website.

Students register using CampusConnection following their advising session. Instructions for using CampusConnection are available at: [https://www.minotstateu.edu/cc/http://www.minotstateu.edu/cc/cc\\_v9.shtml](https://www.minotstateu.edu/cc/http://www.minotstateu.edu/cc/cc_v9.shtml).

First year students (Freshmen) and transfer students will be introduced to CampusConnection during registration activities.

Please refer to the MSU undergraduate catalogue under Academic Information <http://catalog.minotstateu.edu/undergraduate/academicinformation/registration/> and graduate catalogue under Policy and Regulations: <http://catalog.minotstateu.edu/graduate/policies-regulations/change-registration/>.

### Adding and Dropping Courses

Students drop courses via CampusConnection according to specific published deadlines. All but the last course can be dropped in this way.

Classes may be dropped or request a change in grading option through the 21st day of summer semester or 8-week course.

A "W" will be recorded on the student's transcript after the 7th day of 16-week classes, and the 4th class day of summer and 8-week classes. (Implemented Fall 2007)

Students who fail to drop a course by the official "drop" date may apply for "late course drop" due to extenuating circumstances. Late course drops must be approved by the instructor

and are subject to departmental policy. The instructor's signature and the department/division stamp must be obtained on an add/drop slip available in the Registrar's Office or the department/division offices. Completed add/drop slips are to be returned to the Registrar's Office. A late course drop must be processed prior to the first day of final exams.

### Change of Grade Option

Faculty may submit a grade change form within one year of the original posting of a grade. After one year, any grade change will need to be approved in sequence by the chair and the Vice President of Academic Affairs. These requests must be accompanied by a written explanation.

### Withdrawal from the University

Students seeking to drop all classes (withdraw from school) prior to the drop deadline should be directed to the Financial Aid Office. Even a student who has paid no tuition and/or has not attended any classes must contact the Financial Aid Office to withdraw from school. Students are not automatically dropped from class for reasons of nonattendance. Students should contact the Financial Aid Office when seeking hardship drops after the drop deadline. To drop individual classes after the drop date, a student needs the signature of the faculty member teaching the course.

Students who fail to withdraw from all courses by the official "withdrawal" date may be eligible for late withdrawal. This request must be for reasons beyond the student's control including, but not limited to, the following: death of an immediate family member, extended illness, or hospitalization of the student. Late withdrawals are processed through the Financial Aid Office. Third party documentation is required when requesting a late withdrawal. Documentation may be a letter from the student's physician, an obituary notice or other documentation that verifies the student's special circumstance. A late withdrawal must be processed prior to the first day of final exams. Students who leave the university without completing the official withdrawal procedure will receive a failing grade (F) in all classes.

For more information visit <http://www.minotstateu.edu/finaid/withdrawl.shtml>.

### Auditing a Course

An auditor is one who participates in a class but receives no credit for the audited course. An auditor may participate in class activities at the discretion of the faculty. A student may change his/her status in a course from "credit" to "audit" or vice versa up through the final drop date of the session. This must be done on the appropriate form, available in the Registrar's Office. An auditor must meet university entrance requirements and follow all standard Admissions procedures. An auditor pays 50% of the regular, per credit tuition charged for the course.

### Repeating a Course

Students planning to repeat courses taken at MSU should be aware of the following guidelines:

- MSU courses must be repeated through Minot State University for an improved grade. Repeating a course at another institution will average both grades in GPA calculations.
- When repeating a course through Minot State University, the most recent grade will be included in the GPA calculation.
- Students cannot repeat courses for an improved GPA after a degree has been posted.
- The student wishing to repeat a course no longer part of the curriculum must obtain the program chair's permission to substitute a currently offered course.

### Student Academic Progress

University-wide minimum academic progress requirements are based on the set of minimum grade averages printed below; individual colleges or departments may have higher requirements. The minimum grade average requirement is raised progressively in order to help students meet the minimum requirements for graduation.

**Retention:** All student records are reviewed at the completion of each semester. Should the cumulative grade point average (Cum GPA) fall below the required minimum, the student is placed on academic warning, academic probation, or may be suspended, depending on prior academic history.

**Academic Warning:** The first time a student's end-of-term grades bring the cumulative GPA below the required minimum; a warning shall be issued from the Registrar's Office notifying the student that he or she has been placed on Academic Warning. A notation of "Academic Warning" is added to the student's permanent record/transcript.

**Academic Probation:** The student on Academic Warning is given another term of enrollment to bring the cumulative GPA up to at least the required minimum. Failing that effort, the student is moved from "Academic Warning" to "Academic Probation." A notation of "Academic Probation" is added to the student's permanent record/transcript.

**Exception:** The student who has earned a Term GPA of at least 2.0 will be extended yet another Probationary term in which to attempt to raise the Cum GPA to at least the required minimum. The notation "Continued Probation" is added to the student's permanent record/transcript.

**Academic Suspension:** If the student on Academic Probation has not raised his/her cumulative GPA up to at least the required minimum by the end of the third consecutive term of enrollment, that student is placed on Academic Suspension. A notation of "Academic Suspension" is added to the student's permanent record/ transcript. A first suspension requires that the student sit out for the next fall or spring semester. The student may then be readmitted on Academic Probation to attempt again to bring the Cum GPA to at least the required minimum. Failing that, a second suspension requires that the student sit out for both a fall and spring term.

**Suspension Appeals Committee:** Students suspended from the University may petition for a one- term extension of probationary status, if they feel their case warrants special consideration. Appeals must be made in writing to the Registrar's Office. Circumstances beyond the student's control and a plan for improved performance must be evidenced before reinstatement will be considered. If the appeal is granted, the student will be conditionally readmitted with the statement "Academic Suspension/Reinstated" recorded on the permanent record/transcript.

### **Academic Honors, President's Honor Roll**

Undergraduate students who earn a minimum term average of 3.50 while enrolled for 12 or more credits during the fall or spring semester are recognized for their achievement by placement on the President's Honor Roll.

### **Appeal via Student Rights Committee**

A student who fails to withdraw from school or who fails to drop a course prior to the first day of final exam week is directed to the Student Rights Committee for individual review. Appeals are only granted for extenuating circumstances that are related to the term(s) being appealed.

Requests to the Student Rights Committee must be in writing, and it is the student's responsibility to provide evidence supporting his/her request. The decision of the Student Rights

Committee is considered final.

[https://www.minotstateu.edu/records/documents/forms/grade\\_appeals.pdf](https://www.minotstateu.edu/records/documents/forms/grade_appeals.pdf).

Information is available and requests are submitted through the Registrar's Office on the lower floor the Administration Building.

## Procedures Governing Academic Appointments

### Types of Appointments

Academic appointments to the faculty of the University shall be probationary, tenured, or special. SBHE Policy 605.1 – please refer to NDUS website for policies in their entirety.

<http://www.ndus.edu/makers/procedures/sbhe/default.asp?PID=53&SID=7>.

- Probationary Appointments are renewable annually and yield credit toward tenure. The probationary term is limited to six years of continuous academic service, excluding extensions to the term or exceptions to the continuous service requirement granted in exceptional circumstances.
- Tenured Appointments recognize a right, subject to Board policy, to continuous academic year employment in an academic unit or program area as defined by the university and stated on the contract.
- Special Appointments of academic faculty do not involve either tenure credit or status. Examples include courtesy adjunct appointments, visiting appointments, appointments of retired faculty members, and part-time appointments.

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

### Academic Ranks

Academic Appointments of university faculty shall be at the rank of instructor, assistant professor, associate professor, and professor. Under special circumstances, a contract may be issued for up to three years.

- Instructor: normally granted to faculty with a master's degree and limited experience.
- Assistant Professor: granted to faculty with an earned doctorate or the terminal degree associated with the discipline, or a master's degree plus three years of full-time college teaching experience. Significant course work toward a doctorate may be considered in lieu of no more than two years of college teaching experience.
- Associate Professor: granted to faculty with an earned doctorate or the highest degree ordinarily attainable in the applicant's discipline and five years of successful college teaching experience. In unusual situations, non-teaching experience clearly and directly related to the assigned duties of the applicant may be considered.
- Professor: granted to faculty with an earned doctorate or the highest degree ordinarily attainable in the applicant's discipline and ten years of successful college teaching experience. In unusual situations, non-teaching experience clearly and directly related to assigned duties of the applicant may be considered.

### Evaluation

Evaluation procedures are outlined in the MSU Bylaws Article IV (See Appendix B). The deadlines for the evaluation can be found on the Academic Affairs Calendar:

<https://www.minotstateu.edu/academic/calendar.shtml>. When dates fall on a weekend, materials should be handed in on the following Monday. The Board Policy on the non-renewal,

termination, or dismissal of faculty has been changed with notices defined in calendar days rather than specific dates (see SBHE Policy 605.3):

- At least 90 calendar days prior to termination during the first year of probationary employment at the institution. (approximately February 1)
- At least 180 calendar days prior to termination during the second year of probationary employment at the institution. (approximately November 1)
- At least one calendar year prior to termination after two or more years of probationary employment at the institution.

Faculty Position Descriptions for the subsequent academic year should be completed and attached to the evaluation when it is due to the VPAA.

#### Deadlines for Evaluation and Goals - First-Year Probationary Faculty

January 3 - First-year faculty self-evaluation, goals, and updated CV due to chairperson

January 14 - Chairperson's evaluation of and goals for first-year faculty due from chairperson to faculty

January 24 - First-year faculty self-evaluation and goals, chairperson's evaluation, and updated CV due from chairpersons to VPAA Office

#### Deadlines for Evaluation and Goals - Second-Year Probationary Faculty

First second-year evaluation:

October 8 - Second-year faculty self-evaluation, goals, and updated CV due to chairperson

October 22 - Chairperson's evaluation of and goals for second-year faculty due from chairperson to faculty

November 5 - Second-year faculty self-evaluation and goals, chairperson's evaluation, and updated CV due from chairpersons to VPAA Office

Second second-year evaluation:

January 31 - Faculty self-evaluation, goals, and updated CV due to chairperson

March 6 - Chairperson's evaluation of and goals for faculty due from chairperson to faculty

March 13 - Faculty self-evaluation and goals, chairperson's evaluation, and updated CV due from chairpersons to VPAA Office

#### Deadlines for Evaluation and Goals - Third-Year Probationary Faculty

January 31 - Faculty self-evaluation, goals, and updated CV due to chairperson

March 6 - Chairperson's initial evaluation of and goals for faculty due from chairperson to faculty

April 5 - The Tenure Committee completes pre-tenure review and simultaneously distributes the results/findings to the faculty member and the Chair of the Department/Division.

April 5-17 - The pre-tenure review completed by Tenure Committee shall be addressed as part of the third-year faculty member's annual evaluation. At a minimum, the faculty member, in consultation with the chairperson, will address any concerns or deficiencies identified by the pre-tenure review and document a strategy to ameliorate them. The completed evaluation will be forwarded to the Vice President for Academic Affairs.

April 17 - Third-year faculty self-evaluation and goals, chairperson's evaluation, and updated CV due from chairpersons to VPAA Office

#### Deadlines for Evaluation and Goals – Fourth Year and Later Probationary Faculty and All Other Full-time Faculty

January 31 - Faculty self-evaluation, goals, and updated CV due to chairperson

March 6 - Chairperson's evaluation of and goals for faculty due from chairperson to faculty

March 13 - Faculty self-evaluation and goals, chairperson's evaluation, and updated CV due from chairpersons to VPAA Office

### Tenure

Tenure procedures are outlined in the Minot State University Bylaws Article V (See Appendix B) and see SBHE policy 605.1.

### Promotion

Promotion procedures are outlined in the Minot State University Bylaws Article V (See Appendix B).

<http://www.minotstateu.edu/senate/bylaws.shtml>.

### Summary Calendar for Tenure and Promotion

November 1 — Promotion and tenure application packets due from faculty to chairperson

November 15 — Promotion and tenure packets with recommendations due from chairperson to Vice President for Academic Affairs

December 15 — Notice of non-renewal to second year faculty

February 11 — Promotion and Tenure Committees' recommendations due to President

March 1 — Notice of non-renewal due to first-year faculty

### Termination of Faculty

Procedures for termination of faculty are outlined in SBHE Policy 605.3.

### Termination of Probationary Faculty

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

- At least 90 days prior to termination during the first year of probationary employment at the institution.
- At least 180 days prior to termination during the second year of probationary employment at the institution.
- At least one year prior to termination after two or more years of probationary employment at the institution.
- A department chair, Vice President of Academic Affairs or other person authorized under institution policies to give such notice shall provide written notice of the decision, including a reference to the policy section pursuant to which the action is taken.
- The faculty member may, within ten calendar days after receipt of the notice, request a reconsideration by the deciding body or individual. The faculty member may incorporate a request for mediation in the request for reconsideration.
- The institution shall respond in writing to the faculty member within ten calendar days after receipt of the request.
- An institution may terminate a probationary appointment effective at the end of any contract term, with no less than 90 days' notice of nonrenewal based upon a determination by the SBHE that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary due to: loss of legislative appropriations, loss of institutional or program enrollment, consolidation of organizational units or program areas, or elimination of courses.
- The notice of nonrenewal shall include a reference to the policy section pursuant to



which the action is taken. When a probationary appointment is terminated pursuant to this financial exigency subsection, the provisions of subsection 1 do not apply.

#### Termination of Tenured Faculty

An institution may terminate an appointment of a tenured faculty member following a determination by the Board that a financial exigency exists which requires such action at an institution or institutions, or upon determination by the institution that such action is necessary because of loss of legislative appropriations, loss of institutional or program enrollment, consolidation of academic units or program areas, or elimination of courses.

In such cases, significant consideration shall be given to length of service and tenure status in the retention of faculty members within the affected academic unit or program area, curriculum requirements, professional achievements, breadth of competence, and equal employment opportunity. A tenured faculty member terminated pursuant to this subsection shall be given written notice of termination, including the reason(s) for the action, at least twelve months prior to the date of termination. Each institution shall establish procedures for implementing this policy.

A tenured faculty member given notice of termination under this section may request that the institution circulate his or her vita to other academic units or program areas within the institution. In addition, the institution shall ensure that fair consideration is given to the faculty member during the period of the terminal appointment, and for vacant academic positions in the employing institution, for which the faculty member is qualified. The faculty within any academic unit or program area shall have the major responsibility in determining qualifications for appointment therein. If a tenured faculty member accepts an appointment in a different academic unit or program area, the faculty member shall retain his or her tenure status, subject to approval of the Board.

A position terminated under this section shall not be filled by a replacement within two years, unless the released faculty member has been offered reappointment with tenure and a reasonable time, within which to accept or decline it.

The provisions of section 605.4 do not apply when a tenured faculty member is terminated under this subsection. The faculty member may, however, within twenty calendar days of receipt of notice of termination, file a request for review under processes established at the institution for that purpose.

#### Termination of Appointment by a Faculty Member

A faculty member may terminate an appointment effective at the end of the term of the appointment by giving notice in writing at the earliest possible opportunity, but not later than May 15, or one month after receiving notification by the institution of the terms of an appointment for the coming academic year, whichever date occurs later. The faculty governance structure at an institution may recommend procedures permitting a faculty member to request a waiver of this deadline in case of hardship or for other good cause defined by those procedures. An institution may provide that failure without reasonable cause by a faculty member to return a contract by the time set forth in the contract shall constitute a resignation. Any return time so established by the contract shall be reasonable.

#### Due Process

Due process for NDUS faculty is outlined in SBHE Policy 605.3, 605.4, and 605.5.

[North Dakota University System | 600 Series – Personnel \(ndus.edu\)](#) and follows:

Request for Review: A faculty member on probationary or special appointment may, within twenty calendar days after receipt of notice of non-renewal of a probationary appointment or

termination of a special appointment, or, if the faculty member requests reconsideration, or the parties agree to mediation under paragraph b of subsection 1, within twenty calendar days of receipt of the results of the reconsideration or conclusion of mediation, request review of the decision and a hearing by the Faculty Rights Committee by filing written notice with the deciding body or individual and the chair or the senior member of the Faculty Rights Committee. The request for review may be based on allegations that the institution failed to comply with applicable policies or gave the decision inadequate consideration, or that the non-renewal decision violated (a) academic freedom, (b) rights guaranteed by the United States Constitution, or (c) terms of the employment contract or other written agreement. The allegation must be supported by a specification of the reasons the decision violated these rights and a summary of the evidence supporting the allegation(s). The institution shall, within twenty calendar days of receipt of the written notice and specifications, provide a written response to the faculty member and the chair of the Faculty Rights Committee.

**Adequate Cause:** A faculty member may be dismissed at any time for adequate cause.

**Adequate cause means:** (a) demonstrated incompetence or dishonesty in teaching, research, or other professional activity related to institutional responsibilities, (b) continued or repeated unsatisfactory performance evaluations and failure to respond in a satisfactory manner to a recommended plan for improvement; (c) substantial and manifest neglect of duty, (d) conduct which substantially impairs the individual's fulfillment of his or her institutional responsibilities or the institutional responsibilities of others, (e) a physical or mental inability to perform assigned duties, provided that such action is consistent with laws prohibiting discrimination based upon disability, or (f) significant or continued violations of Board policy or institutional policy, provided that for violations of institutional policy, the institution must notify the faculty member in advance in writing that violation would constitute grounds for dismissal, or the institutional policy must provide specifically for dismissal as a sanction.

**Written Notice of Intent to Dismiss:** An authorized institution officer shall give written notice of intent to dismiss and specify the reasons for the action. The officer may, at the officer's discretion, also schedule a meeting with the faculty member to discuss the action. The notice shall state that the officer will forward to the institution president a recommendation to dismiss, unless the faculty member, within twenty calendar days of receipt of the notice, requests a hearing before the Faculty Rights Committee, pursuant to section 605.4. If the faculty member does not make a timely request for a hearing, the president, upon receipt of a recommendation to dismiss, shall make a decision and provide written notice and reasons for the action to the faculty member, within ten business days of receipt of the recommendation.

**Suspension or Reassignment of Duties:** Pending a final decision on dismissal for adequate cause, the faculty member may be suspended by the institution's president or assigned to other duties in lieu of suspension, if it is reasonably determined that it is in the best interests of the faculty member or the institution to do so. The faculty member's salary and fringe benefits shall continue during a period of suspension. Salary and benefits shall be terminated upon a final decision by the institution president to dismiss the faculty member following conclusion of proceedings at the institution.

**Sanction:** If the administration determines that the conduct of a faculty member, although not constituting ground for termination or dismissal, provides reasonable cause for imposition of a sanction, the administration shall inform the faculty member in writing of the sanction and

the reasons for the sanction. A sanction means any punishment, detriment, loss of reward, restriction of privileges or other coercive measure imposed as a formal disciplinary measure. If the sanction is imposed following a hearing by the Faculty Rights Committee and based on the hearing record, there is no further review.

If the sanction is imposed without a hearing, the faculty member may request review upon filing with the institution's president and chair or senior member of the Faculty Rights Committee a request for review and specifications of reasons, within twenty calendar days of receipt of notice of imposition of a sanction. The institution shall have twenty calendar days following receipt of the request for review to file a response. The Faculty Rights Committee shall review the matter according to procedures established at the institution for that purpose and issue a written report within twenty calendar days of receipt of the institution's response and may make a recommendation to resolve the dispute, stating its reasons. The institution shall make its final decision upon reconsideration and provide written notice of that decision to the faculty member within ten days of receipt of the report and recommendation of the Faculty Rights Committee. Upon filing of a request for review pursuant to this subsection, imposition of the sanction shall be suspended pending a final decision of the institution's president following conclusion of those proceedings.

### **Access to Faculty Personnel Files**

Access to Faculty Personnel Files is outlined in SBHE Policy 1912, and can be found at <http://www.ndus.edu/makers/procedures/sbhe/default.asp?PID=128&SID=11>.

By North Dakota state law, the public has a right to inspect faculty personnel files. These are maintained in the office of the Vice President for Academic Affairs. The normal procedure used by the Vice President for Academic Affairs when such a request is made by an individual is as follows:

1. The personnel file will be reviewed with an authorized individual present.
2. The faculty member's personnel file shall be available to the Promotion Committee and to the Budget and Salary Committee.
3. Every faculty member shall have access to his/her own personnel file.
4. This policy applies except when the employing agency inserts only salary, insurance, medical, tax, workforce safety and insurance, pretax benefits, or deferred compensation information or employment forms.

# Section C: Faculty Benefits

## Compensation

### Initial Compensation

Salary is determined by the administration, subject to limitations, available money, and regulations of the State Board of Higher Education.

### Payroll

All faculty members are paid semi-monthly (twice each month) with a 15-day time lag. Pay dates are the 15th and last day of the month. If a pay date falls on a weekend, then the pay date falls on the preceding Friday. Pay dates begin September 15th and continue semi-monthly through May 31st; 18 pay dates.

The required deductions of federal and state taxes, social security, and TIAA-CREF are deducted from each paycheck. Optional deductions such as for life insurance, credit union deposits, United Way, FlexComp, etc., are also deducted over the 9 months. All optional deductions except for SRA's are withheld in 18 equal installments from September through May. For example, if a United Way annual pledge is \$90, it will be withheld in 18 deductions of \$5 each from the 18 pay dates from September through May.

All benefited faculty on the standard 9-month contract has the option of "9 over 12;" establishing a level net pay over twelve months instead of limiting net pay to the 9 months of the actual contract. Each contract year brings this option. If 9 over 12 is chosen by the faculty member, then a portion of the gross pay through the 9 months will be withheld from the faculty member's pay to provide pay during June, July and August. All deductions for taxes, mandatory retirement contributions, and optional deductions will be taken during the 9-month period. If interested in this option, contact the Payroll Office, phone 701-858-3334 or 701-858-3225.

### Employee Earning Statement

On pay day, each employee is provided with a statement showing earnings and deductions as reported to the federal and state governments. You may access this statement by logging on to the Oracle PeopleSoft self-service portal at <https://adminsyst.ndus.edu/psp/hehp/EMPLOYEE/HRMS/>

### Social Security

All faculty members participate in the Federal Social Security Program. The Payroll Office deducts from the salary check whatever annual rate is in effect at the time and the University contributes the required amount. Benefits paid are contingent on federal statutes. Information regarding this deduction may be secured from the Payroll Office, phone 701-858-3334 or 701-858-3225, or through contacting the Social Security Administration Office located in the Minot Metro Center, 1414 20th Ave SW, Minot, ND, 58701, phone 701-838-9996.

### Withholding

The Federal Income Tax and North Dakota Income Tax assessments are automatically withheld from each salary check. New faculty members must provide the Payroll Office with a withholding tax form (W-4), retirement forms, and insurance forms before September 15. No salary checks will be issued until these forms have been signed.

## Other Deductions

Other automatic deductions may be arranged. Examples of such optional deductions could include contributions to the Wellness Center, University Endowment or United Way. Arrangements for these services can be made with the Business Office.

## Fringe Benefits

The Office of Human Resources has developed an extended explanation of benefits available to faculty, found on their website: <https://www.minotstateu.edu/Hr/benefits.shtml>. Flex Comp Faculty members may request that a portion of their salary be set aside, untaxed, so it can be used for medical services and for childcare expenses. MSU has a contract with an independent company (currently AFLAC) to implement the program. Upon employment and once each year, AFLAC will offer the opportunity for participation. If you have not been contacted by AFLAC and wish to participate or learn more, you should contact the Business Office at 701.858.3330 for more information.

## Insurance

### Health Insurance

All state employees are covered under a uniform group health program. The program does not cover routine vision/dental. Vision/dental is covered only as a matter of medical necessity. Currently the administration of this program is with Sanford Health Plan. The plan has both medical and major medical coverage. All full-time employees are eligible for coverage under the state's group health plan; however, it is not required for employment. If one leaves the plan, admittance can be regained only by qualifying medically or by waiting until dates of open enrollment. For details, please call the Payroll and Benefits Office, phone 701-858-3334 or 701-858-3225.

Employees may obtain either an individual or family contract. The University pays the cost of a family or single contract. Please reference the following link for information about all benefits sponsored by the North Dakota Public Employees Retirement System (NDPERS): <https://ndpers.nd.gov/active-members/>

### Vision Coverage

Vision insurance is available through NDPERS. The premium is paid by the employee at a group rate. For details, please visit: <http://www.nd.gov/ndpers/insurance-plans/vision-plan.html>. For more information, contact the Payroll and Benefits Office, phone: 701-858-3225.

### Dental Insurance

Dental insurance is available through NDPERS. The premium is paid by the employee at a group rate, <https://ndpers.nd.gov/active-members/insurance-plans/dental>. MSU also offers Provident/TDA dental insurance. Contact the Business office for details.

### Disability Insurance

Short Term Disability: Short term disability is not provided but is available through AFLAC.

Group Long Term (LT) Disability Benefits Plan: Long Term Disability insurance is provided for full-time faculty members through The Standard Insurance Company. The plan provides for payment of 60-70% of an employee's monthly wage base not to exceed \$7,500 per month. The premium is paid by the University. For complete details of the plan contact the Payroll and Benefits Office.

Worker's Compensation: All faculty members at Minot State University are covered by the North Dakota Worker's Compensation Act. Insurance premiums are paid by the university. Claims for worker's compensation must be made online at <http://www.workforcesafety.com> . For assistance with this process, contact the Human Resources Office. Phone: 701.858.4610.

Long-Term Care Insurance: Group long-term care (nursing home, home health, etc.) insurance may be purchased by employees and eligible family members. Questions should be directed to the Payroll and Benefits Office. Phone: 701-858-3225.

Group Life Insurance: Along with the health coverage, the State also has a life insurance group policy. A basic policy is available to all full-time employees; the cost is paid by the University. Beyond this basic coverage, additional life coverage may be purchased by the employee. The rates are dependent upon the age of the employee. Optional insurance coverage for the dependent spouse and children may be purchased. The rate for the dependent spouse coverage is based on the employee's age.

### Tuition Waivers

As per SBHE Policy 820.3b, for courses taken at the request of the employee, institutions shall waive or provide tuition assistance for benefited employees, limited to three approved for-credit undergraduate or graduate courses during each calendar year, in any combination of:

- a. Courses taken at the campus of employment regardless of delivery type: One hundred percent tuition and fee waiver is provided, with the exception of the CND, NDSA, program and course fees which shall be paid by the employee.
- b. Courses taken at another NDUS institution, other than the campus of employment, regardless of delivery type: a system-wide fixed fifty percent employer paid tuition assistance, with the employee paying the remaining fifty percent of tuition and one hundred percent of all fees.

The policy also provides for a waiver of each institution's activity fee and university fee. The technology fee will not be waived for NDUS employees.

Please reference <https://www.minotstateu.edu/busoffic/pages/tuition-waivers-and-release-time.shtml> for tuition waiver information and tuition waiver forms. The completed form must be signed and approved by the supervisor and the MSU Business Office.

The spouse and dependent children of benefited employees of Minot State University shall receive a 50% waiver of tuition for class taken at Minot State University using the criteria outlined below:

- This waiver covers tuition only and does not cover fees or books.
- Benefited employees who are the spouse or dependent child of another benefited employee are not eligible for this waiver.
- Students using this waiver are not eligible for additional financial aid awards through the MSU Awards Program.
- Spouses may earn one bachelors' degree, one master's degree, or up to 150 semester hours using this waiver.
- Each dependent may earn one bachelors' degree or up to 150 semester hours using

this waiver.

- The student must be accepted for admission to MSU and make satisfactory progress as outlined in the academic progress requirements.
- This tuition waiver is not applicable to Distance Education courses normally offered by the Center for Extended Learning such as online, IVN, and correspondence.
- This tuition waiver may be used for dual-credit courses through the Center for Extended Learning.
- The student must request the waiver prior to the tuition payment deadline. To request the waiver, the student must complete the “Scholarship and Awards Program Application” through the Financial Aid Office and identify him/herself as a spouse or dependent.
- The employee must affirm the spousal/dependent relationship by completing the “Spouse/ Dependent Affirmation” form with the Human Resources office.
- Any application for this waiver found to be fraudulent will cause the waiver to be void and the student will be charged the previously waived amount.

(Effective: August 1, 2005)

### **Student Health Center**

The Student Health Center, located in the basement of Lura Manor, is staffed by a nurse practitioner and a registered nurse with the support of the UND Center for Family Medicine resident physicians. The resident physicians are fully licensed MD’s in the state of North Dakota. The nurse practitioner is nationally certified and licensed in the state of North Dakota. The nurse practitioner can diagnose and treat a variety of acute health problems in an ambulatory clinic setting and make referrals to the UND Center for Family Medicine as indicated by the health needs of the students.

The Student Health Clinic is supported by a student health fee, but limited services are available for staff and faculty, such as blood pressure checks and influenza vaccinations. Please contact the Student Health Center with any questions. The web address is <https://www.minotstateu.edu/health/>

### **Employee Assistance Program (EAP)**

The Employee Assistance Program (EAP) is designed to help employees and their immediate families, who are experiencing life challenges, with assessment and counseling sessions on a confidential and professional basis at no cost to the employee. Access online resources at <http://villageeap.com/> with the username "Minot State" or call 1-800-627-8220.

The number of sessions available to a covered individual’s household is equal to the number of household members times (x) four (4). As an example, a household with five (5) members would have access to a maximum of 20 sessions (5 members x 4/member = 20 sessions) per 12-month period. Any number of those sessions can be used by any member of the household up to the total number. There is a minimum of 8 sessions per household. For additional information, please visit the HR homepage.

### **Worker’s Compensation Claims Management**

MSU recognizes that the health, safety, and well-being of its employees is of utmost importance and has implemented measures to promote a safe, healthy work environment, manage incidents and control the rising costs of Worker’s Compensation at the University. MSU supports the

expeditious recovery of employees with work related injuries by returning them to productive employment status as soon as possible while minimizing the risk of re-injury.

MSU is required by North Dakota Century Code Chapter 65-01 and North Dakota University System Human Resource Policy Manual 8.1, Worker's Compensation, to responsibly ensure that all employees are afforded the opportunity to work in a safe environment. North Dakota Workforce Safety and Insurance (WSI) is the provider and administrator of the workers compensation system in North Dakota.

MSU also complies with the Americans with Disabilities Act, including providing reasonable accommodations for qualified employees with disabilities to perform the essential functions of their positions.

## **Procedures**

### **Designated Medical Providers (DMP)**

A Designated Medical Provider (DMP) is a medical professional or a facility selected by the employer to treat work-related injuries. All employers in North Dakota have the option of selecting a DMP. The Designated Medical Provider (DMP) program was initiated by North Dakota Risk Management to help with consistency in the treatment of injured employees. MSU's DMP is Trinity Health.

Employees may choose to identify an alternative DMP; however, this must be done prior to any work-related injury. Employees must complete and submit a DMP form to Human Resources & Payroll Services at the beginning of employment. DMPs may be changed at any time by submitting a new form to the Office of Safety. However, each new DMP form submitted replaces the previous version in its entirety. Employees must include all medical providers they wish to utilize when submitting a new form. If an injured employee seeks treatment from a medical provider that is not listed as UND's DMP or it was not listed on the employee's DMP prior to injury, medical expenses may be denied by WSI. The Office of Safety will redirect the employee to UND's DMP once it has been notified the employee sought medical treatment from a non-designated medical provider. Emergency care for an injury is exempt from DMP requirements.

DMP Form

### **Occupational Injuries**

If a Work-Related Injury Occurs:

#### **Employee Responsibilities:**

1. Determine the seriousness of an injury and if medical attention is needed. If emergency medical attention is necessary, dial 9-1-1. When medical assistance is required because of a work-related injury, the supervisor or assigned person is encouraged to accompany the injured worker to the medical facility rendering service. In all cases, the worker or person accompanying the worker shall notify the medical facility that this is an injured university employee. If medical attention is needed but it is not an emergency, the employee or supervisor will contact the DMP (identified by the employee in writing prior to injury) as soon as possible to seek treatment. Emergency medical care for an injury is exempt from Designated Medical Provider (DMP) requirements.



2. Notify the employee's supervisor immediately. However, if conditions of the emergency do not allow this communication, information must be provided as soon as possible.
3. Complete and submit an Incident Reporting form within 24 hours of a work-related injury to Risk Management.
4. Complete a First Report of Injury form (to establish the claim and generate a claim number) online at <https://www.workforcesafety.com/WSI/OFROI/>. Save the claim number provided at the end of the online form. For assistance with this process, please contact the Human Resources Office at 701-858-4610.
5. Give the WSI claim number to the health care provider that is treating the injury.

#### Supervisor Responsibilities:

Complete the Incident Investigation form within 24 hours of being notified of a work-related injury and submit it to Risk Management.

#### Risk Management Responsibilities:

Forward the incident report form to the Human Resources Office. Notify injured employee or supervisor to complete the First Report of Injury (Worker's Compensation Claim) on-line with WSI within 24 hours of notification of a work-related injury if medical treatment is sought.

#### Human Resource Responsibility

The Office of Human Resources Office is responsible for the MSU Workers Compensation Program. For questions or assistance with a claim, contact the Human Resources Director at 701-858-4610.

## Retirement

### Teachers Insurance and Annuity Association (TIAA)

TIAA is a retirement plan authorized by the SBHE for faculty, professional research staff, and designated administrative and library staff. For details, connect to TIAA's website:

<https://www.tiaa.org/ndus> .

Faculty and professional staff with rank of professor or associate professor and such administrative and library employees who may be designated by the SBHE as having equivalent professional rank participate in a contribution rate of 4.5% of contract salary while the University contributes 12.5% of contract salary. After ten years of service, the contribution rates shall be 5% and 13% percent respectively.

Faculty employees with rank of assistant professor or faculty and such administrative and library employees who may be designated by the SBHE as having equivalent professional rank shall participate in the plan as of the date of first employment at a contribution rate of 3.5% while the University contributes 7.5%. After two years of service the rates shall be 4.5% and 12.5% respectively. After ten years of service the rates shall be 5% and 13%, respectively.

Employees shall be given credit for the years of service during which they accrued retirement benefits under the North Dakota Public Employees Retirement System, North Dakota Teachers' Fund for Retirement, or TIAA-CREF. Credit for TIAA-CREF years of service shall also include credit earned at other institutions, including out-of-state institutions, provided the employee has a current TIAA-CREF contract.

### Supplemental Retirement Annuities (SRA)

Employees are eligible to participate in Supplemental Retirement Annuities (SRA) at their

discretion by making appropriate arrangements through the Business Office. There is no commitment on the part of the State or the University to match the funds deposited with SRA by individuals. The SRA program is through TIAA and, within IRS limits, contributions are tax deferred.

### **Tax Annuities**

Salary reductions can be made for individual tax-sheltered annuities.

### **Income Projections**

TIAA offers retirement-illustration software which enables calculation of hypothetical income based on a participant's retirement plan accumulation, tax-deferred annuity plan (SRA) accumulation, or both. The software also can calculate how transfers, and changes in allocations, earnings rates and contribution levels will affect an illustration.

For additional information on retirement plans, contact the University's Human Resources Director at 701-858-4610.

## Section D: Faculty Support Services

### Campus Communication

#### Post Office and Department Mailboxes

The post office is located on the first floor of the Student Center Atrium. Business mail can be processed through the post office and postal charges billed to the respective program if the department or division billing code appears on the envelope. For bulk mailings, contact the post office for instructions at 701.858.3000. The on-campus post office also provides the following:

- Personal faxes at a charge
- Sale of stamps and pre-stamped envelopes
- Intercampus mail delivery
- Package weighing

#### Telephone Services

If you are using a campus phone and wish to make an outside call, dial “9” to receive an outside line. (ex. 9-838-0000). On-campus calls are made by dialing only the four-digit extension. Each department/division has a long-distance code for authorized business calls made on campus. For on campus emergencies, dial 9-911 or 911.

#### Internet Services

The Information Technology Central Office maintains the university’s webpages and e-mail accounts. Minot State University’s homepage is <http://www.minotstateu.edu>. Faculty members with computing questions or who wish to obtain an email account may call IT Central Help Desk at 701-858-4444. Those seeking assistance with computer-related technology should access the helpdesk at <https://www.minotstateu.edu/helpdesk/> to submit a repair request.

#### Blackboard Announcements

Events affecting MSU Online courses will be published in Blackboard Announcements located on the faculty member’s Blackboard login and course page.

### Technology

#### Classroom Technology

**Smart Boards**—Smart boards are employed in various locations around the MSU campus, at the Minot Air Force Base, MAFB, Education Center, and at Bismarck State College. Smartboards are touch-sensitive displays that visually connect your computer and digital projector to show your computer image on a white board. You can then control computer applications directly from the display, write notes in digital ink and save your work to share later.

If you wish to use a room with Smart Board technology at MSU, contact your program chair for assistance. For questions about technology at MAFB, contact the MSU representative at 701-858-9044. For use of the technology at BSC, call the MSU Student Services Coordinator at 701-224-5496 or 701-224-5745.

**Tegrity**—Tegrity is a system, which allows faculty to record video or audio while presenting a PowerPoint, mark up a PowerPoint, or using an ELMO, or to take snap shots, and play VHS, DVD or Internet based video, recording screenshots of other windows, or while using a document projector.

The presentation can then be uploaded to a server where students can access the files and view

them on their computers or download them for later viewing. For training contact the Office of Instructional Technology, OIT at 701-858-3832.

**Smarthinking**—Smarthinking is a web-based tutoring service that is available to all enrolled MSU students and faculty. See: <http://www.minotstateu.edu/online/smarthinking.shtml>. The program provides online tutoring in Mathematics, Writing, Chemistry, Physics, Biology, Human Anatomy and Physiology, Accounting, Economics, Finance, Spanish and Statistics. Online Math tutors are available 24 hours a day, seven days a week during the school year. Over 80% of SMARTHINKING online tutors have a Master's or PhD in their respective discipline, and they average eight years of teaching experience. Students can:

- Drop-in for live tutoring
- Submit questions for a response within 24 hours
- Pre-schedule sessions
- View archives of past session

### Online and Blended Courses

MSU uses Blackboard Learn as its Learning Management System, LMS, for distance education delivery. You may choose to supplement your face-to-face course with a Blackboard course shell, or you may find that you are asked to teach an online course that has been developed by another faculty member. For more information about supplementing your face-to-face class with a blended course shell, Blackboard training, or new online course development, contact the Office of Instructional Technology at 701-858-3280.

### Technology Assistance

Information Technology Central (ITC)

Work orders are submitted at the IT website at <http://www.minotstateu.edu/itcentral/help.shtml> or by calling 701-858-4444. Faculty assistance and training on Blackboard, and related multimedia can be arranged by contacting the Office of Instructional Technology (OIT) at 701-858-3168/3280/3282.

### MAFB Education Center

Faculty requesting assistance at the Minot Air Force Base Education Center should contact the MSU on-site representative or the Education Center director. Most of the on-site equipment is owned and maintained by the Education Center; however, one of the computers labs belongs to and is maintained by Minot State University.

### Bismarck State College (BSC)

Faculty requiring assistance at BSC should contact the MSU Student Services Coordinator at 701-224-5496.

### Information Technology Central, ITC

At Minot State University ITC is a service organization, which (1) provides computer, phone, and network services and resources in support of the campus community; (2) provides technology leadership; and (3) continues to incorporate new and alternative technologies for increased flexibility and system responsiveness. ITC offers a wide variety of services to bring stability to the university's administrative and academic functions, to improve productivity, and enhance support for current and new technologies. The ITC Help Desk is fully staffed by dedicated and qualified specialists.

### Help Desk Contact Information

Contact ITC's Help Desk for all your technology support needs including access to campus email and calendaring; login and password changes, access to the campus wired or wireless network; general hardware and software troubleshooting; software installations and upgrades; technology equipment pricing and ordering, etc.

Help Desk Hours: 8 a.m. – 4:30 p.m. Monday – Friday: 108 Old Main

Phone: 701-858-4444, or 1-800-777-0750, ext. 4444

Fax: 701-858-4449

Email: [helpdesk@minotstateu.edu](mailto:helpdesk@minotstateu.edu)

Online work-order request—<http://www.minotstateu.edu/itcentral/help.shtml>. If you reach the MSU Help Desk voice mail system, please leave a message and include the following information: full name, campus address (if applicable), telephone number, and a brief description of the problem. Your call will be answered promptly.

### Support Services and Resources

CampusConnection—CampusConnection is the portal where faculty enter grades, view class rosters, access advisee's records, etc. The Campus Connection link, <http://www.minotstateu.edu/cc/>, provides details regarding your login and password. The North Dakota University System, NDUS, Helpdesk is available for Campus Connection issues at [helpdesk.ndus.edu](http://helpdesk.ndus.edu), phone: 866-457-6387.

Email—To access your Minot State University email account, go to [www.minotstateu.edu](http://www.minotstateu.edu). Click on Faculty & Staff then Email Outlook Login; enter login name and password, which are the same as your Campus Connection login.

Campus Computer Lab Locations:

Hartnett Hall: Room 316 & Room 328

Model Hall: Room 116 — PC Lab

Memorial Hall: Room 228 PC Lab

Old Main: Room 103, Mac Lab; Room 314, PC Lab; Room 316, PC Lab

Olson Library: 1st Floor Reference Area — PCs

Swain Hall: Room 109 — Mac Computer Lab

Computer Kiosk Locations:

Administration: 2nd and 3rd Floor Hallways

Crane Hall: 2nd Floor Learning Center

Hartnett Hall: 2nd Floor North Lounge, 2nd and 3rd Floor Walkways

Old Main: 1st Floor Study Zone, 3rd Floor COB Hallway

Memorial Hall: 1st Floor South Atrium

Moore Hall: 2nd and 3rd Floors South End

Student Union: Lower Level Atrium, Lower Level Multicultural Center, 2nd Floor

Student Center

Internet Access:

Wired Local Area Network, LAN and Wi-Fi (Wireless)—Link to Wi-Fi connection directions at: <https://www.minotstateu.edu/itcentral/wireless.shtml>. Wi-Fi is available in the majority of campus offices, classrooms, and in additional areas across campus.

### Policies

All faculty, staff, students, and other users of North Dakota University System computing and networking resources shall comply with the following applicable laws, policies and procedures. Link to ITC policies: <http://www.minotstateu.edu/itcentral/policies.shtml>

## Email

Your Minot State University email account is the primary mode of communication with the University. Your MSU email login and password also provides access to personal Web space, file storage, software downloads, and learning management system (Blackboard) for online classes. For further details reference NDUS Policy 1901.2 Computer and Network Usage.

## Gordon B. Olson Library

The Gordon B. Olson Library provides a variety of services designed to enhance faculty teaching, learning, and research. These services are outlined briefly below. More detailed information about the library, its staff, and the service it offers can be found on the library website. <https://www.minotstateu.edu/library/>

**Loan Privileges and Placing Materials on Reserve:** Faculty members may use their MSU ID cards, or they may request to have a card placed at the circulation desk for checking out materials. All faculty may check out books from the main collection for 120 days and, if needed longer, they may be renewed once.

**Information Literacy Instruction:** The instruction librarians offer instruction sessions that help students attain the information literacy skills needed to complete research projects, term papers, class assignments, etc. These sessions are tailored upon request to a given class, so must be scheduled at least one week in advance. Library staff have wide-ranging flexibility for scheduling day or evening, and welcome all classes, including those taught at the Minot Air Force Base.

**Ordering Library Materials:** The library collaborates with faculty to build a collection that serves the education and research needs of our students. Each academic division is allotted a yearly budget based on enrollment, student credit hours, number of faculty, total output of U.S. publishing in the discipline, and average cost per volume for the discipline. Each division is assigned a librarian to function as collection development liaison. All faculty members are welcome to participate in the collection development process.

**Receiving Rush Service:** When ordering materials that are needed urgently, faculty are asked to write RUSH on the request form and to add a particular date or semester when appropriate. The library staff will try to fill the order and catalog the material by the date listed if possible.

**Ordering Periodicals:** Journal titles are carefully selected by the faculty and librarians. The serials librarian accepts suggestions for new titles.

**Interlibrary Loan:** Books and journal articles not owned by the Gordon B. Olson Library can be requested via Interlibrary Loan. Requests can be made electronically from within ODIN, MSU's online catalog, or multiple article databases. Articles that are received electronically will be sent to an email account. Books and other circulating items may be picked up at the library's circulation desk.

**Off-Campus Services:** The Gordon B. Olson strives to accommodate the needs of all students on or off campus. A distance education information page which provides details about off-campus library services can be found at: [http://www.minotstateu.edu/library/distance\\_education.shtml](http://www.minotstateu.edu/library/distance_education.shtml).

**Study Carrels:** Study carrels are available at the library for faculty members and graduate students with a research or writing interest which requires continuing and intensive use of library

resources. Carrels are assigned for one semester at a time and are available during the hours the library is open.

## Access Services

The Access Services Office can provide assistance in the following areas:

- Defining a disability
- Recordings for the blind and dyslexic Disclosure issues
- Americans with Disabilities Act Learning styles
- Learning strategies Accommodations Anxiety disorder Documentation Learning disability Self-advocacy Visual impairment
- Test accommodation

Access Services Faculty Resource Booklets are available in the Access Services Office located in the lower level of the Gordon B. Olson Library. Please call 701.858.3370 if you would like a copy sent to you.

## Office of Publications and Design Services

Publications and Design Services, the MSU Copy Center and Copies for U offer a wide variety of services, including publication design, typesetting and printing to faculty, staff and students. Located in the Administration Building, they strive to provide excellent customer service, affordable pricing and a wide array of printing options. Services Include:

### Design, layout and typesetting of campus publications

This service is free to all offices and departments on campus. They can design and set up all types of print media such as: brochures, fliers, programs, newsletters, stationery, business cards, posters, postcards, conference books, office forms, magazines, booklets, invitation, notecards, notepads, table tents, ads, billboards, banners, and tickets.

Publications and Design services can also provide “ready to print” artwork to outside vendors for promotional pieces such as pens, pencils, mugs, tote bags, presentation folders, etc.

### Duplicating

The MSU Copy Center offers one-stop service for all your printing needs. With their high-speed printers/copiers they are able to provide top quality printing/copying service for black ink or full color finished projects in a quick turn-around.

### Finishing

Along with printing and duplicating services, they also offer a variety of options for finishing your projects. These options include cutting/trimming, folding, stapling, 3-hole punch, booklet binding, coil binding, padding, tabs, and carbonless forms (2-part, 3-part, and 4-part).

### Wide Format Printing

Also available to campus is wide-format printing for large posters and banners for all occasions. They have poster paper 36 and 42 inches wide, each on rolls of approximately 100 feet, which allows them to create and print very large posters and banners.

### Copies for U

This center provides personal copy services to all current employees and students of Minot State University. Design, layout and typesetting services are not available for personal jobs. All orders must be print-ready. Orders sent electronically must be in pdf file format. The price-per-copy for

personal jobs is different than the price for university funded projects and are subject to ND sales tax. Payment is cash or check only.

### MSU Graphic Standards

Graphic standards provide campus personnel guidelines to help ensure consistent application of the Minot State University identity. Projecting a unified visual identity involves more than simply creating and implementing a logo. Graphic standards provide a sound, flexible structure for using logos, color, and typography—a graphic “vocabulary” unique to Minot State. By consistently following MSU graphic standards, Minot State’s visual identity will become established and recognized. Failure to properly use these elements reduces our ability to effectively communicate with the university’s many audiences and diminishes the identity’s value. All official Minot State colleges, departments, and programs must comply with MSU Graphic Standards. The MSU Graphic Standards manual is found on the Publication and Design Services website.

### Visual Review Policy

ALL publications and print materials must be submitted to Publications and Design Services for approval prior to production, regardless of printing arrangements. To submit a project for approval, contact the Publications and Design Services Office.

Materials required to adhere to this policy include:

- Any printed material that promotes specific programs, departments, activities or special events at Minot State University.
- Forms, invoices, and order blanks — especially those which will be used to conduct business off-campus.
- Surveys, polls, questionnaires or any material distributed to gather information about perceptions of Minot State.
- Any form of advertising, regardless of circumstance.
- Merchandise to be sold or given away, such as coffee mugs, pens, etc.
- Video and broadcast media such as videotapes, CDs, broadcast advertising, and other multi-media projects.

Exceptions to this policy include:

- Course syllabi
- Class handouts
- Internal (on-campus) communications
- Non-official communications

### Campus Printing Policy

The Publications and Design Services Office is the only authorized contractor for outside printing. If the job cannot be completed on campus in the time frame needed, it will be the responsibility of Publications and Design Services to contract with an outside vendor to complete the job. If an individual faculty or staff member contracts with an outside vendor, that individual may be liable for the bill.

Copyright Guidelines—Publications and Design Services and the MSU Copy Center follow copyright guidelines that govern the making of photocopies of copyrighted material. Because the university and any personnel making photocopies are liable for infringement, this office reserves the right to refuse to accept a copy order that, in its judgment, would violate copyright law. A copy of written permission must be included with each request for reproduction of copy- righted



material at the time the job is brought to the copy center.

## **Office of International Programs**

The Office of International Programs is located in on the first floor of the Administration Building. Office hours are Monday through Friday 8 a.m. – 4:30 p.m. Services offered are outlined below.

### **International Student Support**

The Office of International Programs provides advising for admitted and enrolled international students on federal F-1 student and J-1 exchange visitor regulations, as well as academic and cultural adjustment counseling, health insurance and other matters. Contact the International Student Coordinator for questions regarding the authorization process for Curricular Practical Training for international students, or for guidance on other non-immigrant student regulations.

### **International Cooperative Agreements**

Minot State has developed cooperative partnerships with institutions around the world, offering MSU students and faculty the opportunity to participate in faculty and student exchanges, collaborate on research, joint teaching and the development of joint-education programs. Transfer Articulation Agreements—In addition to cooperative relationships, MSU has also developed transfer articulation agreements with institutions abroad with the intent to either facilitate a smooth transfer into MSU, or to allow students the ability to earn dual degrees.

### **Study Abroad**

The Office of International Programs offers an array of opportunities for students to explore the world with Minot State University. MSU's approved study abroad programs have been chosen specifically for the quality and credibility of their academic offerings, affordability, and the level of service provided to participants. Students can choose from a wide array of locations, program lengths and fields of study.

### **Faculty-Led Study Abroad Programs**

Faculty-led study abroad is a great way for Minot State students to experience the world. Students travel with an MSU instructor who relates course objectives with local culture, customs, famous sites and history. Faculty-led programs are customized experiences that give faculty leaders a chance to share specific knowledge with MSU students in an exceptional environment! Programs vary from year to year and course credit for these programs differ depending on the nature of the experience and the faculty member's area of expertise. Contact the Director of International Programs for more information on how to develop your own program abroad. You will receive guidance on issues such as budgeting, location of program, on-site logistics, orientation, course delivery, student selection, outreach, and pre-departure orientation.

## Section E: Faculty Research and Development

### Grants, Research and Development Opportunities

At MSU we believe that faculty research that advances knowledge is vital to maintaining the university as a learning community. Faculty and student research enhances the University's reputation, improves teaching and learning, and connects scholars to professional, local, and global communities. Two internally supported grants are currently available to support faculty and staff research and development at MSU.

#### Internally Supported Grants

Small Grant Faculty Research Program is competitive, open to all faculty, awarded by Faculty Research Committee.

Support for Advanced Graduate Study is competitive, open to all faculty and staff, awarded by the President's Council.

Details concerning each of these opportunities and submission deadlines are made available each fall semester via a memo from the office of the Vice President for Academic Affairs.

Program	Maximum Amount Awarded	Apply to	Awarded by
Small Grants for Faculty Research	A maximum \$ award as determined by the committee; may be used for equipment, supplies, travel for research purposes.	See website and application link on the Faculty Research Committee website for information.	Faculty Research Committee
Support for Advanced Study	Varies with proposal	Office of the Vice President for Academic Affairs	President's Staff

#### Externally funded grants and contract

Faculty are encouraged to apply for externally funded grants. Contact the Grants & Accounting Analyst in the Business Office for technical assistance on proposal preparation or budget issues.

### Minot State's Research/Sponsored Programs

#### External Grant Proposal Submittal Instructions

The Vice President for Academic Affairs (VPAA) is the university official authorized to commit the university to any grants, contracts, subcontracts or other formal agreements. The VPAA acts on behalf of the President, and reviews proposals for consistency with institution missions and policies.

The respective chair's signature is required for grants and contracts originating from or requiring resources from that college unit. At a minimum, the chair will review grants and contracts for harmonizing with the college mission, resource requirements, and appropriateness of personnel proposed for the grant or contract.

Prior to submission date, the Grants & Accounting Analyst in the Business Office is available to provide technical assistance with respect to proposal preparation or budget issues. Please contact the Grants & Accounting Analyst (701-858-4145) regarding proposal preparation

questions or to schedule an appointment. You are encouraged to visit with the VPAA when you are initially considering a grant proposal in order to discuss the appropriateness of the grant to MSU's mission, values, and goals.

In order to obtain university approval, the following steps must be taken to ensure appropriate authorization. Please plan accordingly allowing time for the approval process and submission of paperwork or electronic application in relation to your funding agency's deadline. At a minimum, please notify the VPAA's office and the Grants & Accounting Analyst two weeks in advance of your grant proposal submission deadline and allow one week for the review process. Please allow at least two days prior to the deadline for inputting electronic submissions.

#### Step 1 – MSU Administration Approval

Submit documentation for your grant to the Grants & Accounting Analyst at least one week prior to deadline for submitting your proposal to the funding agency.

Documentation must include:

- A completed MSU Proposal Approval Form with appropriate signatures (available from the Grants & Accounting Analyst),
- An abstract of the proposed project,
- A budget narrative and corresponding spreadsheet (electronically if possible),
- Documentation from the RFP agency describing allowable indirect rates and match requirements (if applicable), and
- Funding Agency signature pages.

\* If you have faculty written into your grant from more than one department and/or college, note that multiple chairs' signatures will be needed.

The Grants & Accounting Analyst will sign the proposal form after the budget review and forward to the VPAA for final review and approval.

#### Step 2 — VPAA Endorsement

After review and budget verification, the grant proposal package will be forwarded to the VPAA for final signature. Once final approval is granted, the VPAA's Office will contact you with the completed documentation.

#### Step 3 — Electronic Submissions

After final approval, input the grant proposal as directed by the electronic grant site. If you need assistance in this process, please contact the VPAA's Office. The VPAA is the only authorized person to officially submit the grant proposal and, therefore, must be present or give authorization for final submission.

#### Step 4 — Final Copies

Please submit a copy of your entire grant proposal to the VPAA along with the original, completed MSU Proposal Approval Form.

#### Step 5 — Funding Outcomes

If the grant or contract is awarded to MSU, the original grant or contract must be forwarded to the Grants & Accounting Analyst in the Business Offices for a signature. Also, include all billing forms, financial reporting forms, a final budget, etc. A fund and project number will be assigned at that point.

## Professional Leave

### Developmental and Research Leaves

Faculty or staff may be granted a developmental leave for research, retraining or professional development, providing:

- institutional resources are available.
- the workload is absorbed within existing staff resource allocations.
- a written proposal on the planned use of the leave and its anticipated benefits to the institution, to the state, and to the individual is presented and approved. The proposal shall also include the detail of the source of funds for the total stipend.
- the individual presents a signed agreement to return to the system upon completion of the leave for a period of time at least equal to the leave time or refund the institution's stipend payment.
- health insurance requests must occur prior to leave. A faculty member taking leave is not automatically covered for health insurance. Such returning faculty member must qualify medically for admission to the health plan or must apply during the annual open enrollment period.

Developmental and research leave shall be no longer than 12 months and the base stipend shall not exceed 75% of the salary scheduled for the leave period. Exceptions may apply for externally funded grants.

Application for institutionally funded developmental and research leave stipend must be in writing and submitted to the chair and Vice President for Academic Affairs.

## **Sabbatical Program**

### **General Information: MSU Faculty Sabbatical Program**

\*For complete details and forms, please see the Faculty Senate Bylaws, Section B, Article VII or the Academic Affairs website.

### **Section 1: Background and Purpose**

The purpose of Minot State University's Faculty Sabbatical Program is to renew and embolden our faculty members as teachers and scholars. The award of a sabbatical is a privilege predicated on the faculty member's record of positive contribution to the university. The granting of faculty sabbaticals is competitive and will be evaluated against clear criteria. The ideal sabbatical proposal comprises faculty renewal and scholarly activity and will promote the core values reflected in the University Vision.

### **Section 2: Eligibility**

A tenured faculty member at the associate or full professor rank who has completed seven years of full-time academic employment at MSU is eligible to apply for sabbatical.

The faculty member may not have taken a sabbatical or developmental leave within the NDUS system during the previous seven years.

Preference will be given to faculty members exhibiting a consistent record of teaching excellence.

### **Section 3: Sabbatical Options**

The two options for sabbatical for MSU faculty members are:

A faculty member may take a sabbatical over a full academic year with financial support at fifty percent. The faculty member may choose to cover the remainder of her/his compensation with support from grants and fellowships.

A faculty member may take a one-semester sabbatical with one-hundred percent financial

support.

A full-year sabbatical will take place over a continuous interval comprising the Fall and Spring semesters. A one-semester sabbatical may be taken in either the Fall or Spring semester. All employment benefits currently received by the faculty member will be maintained by MSU throughout the duration of the sabbatical leave.

#### **Section 4: Criteria for Evaluation of Sabbatical Proposal**

In addition to satisfying eligibility requirements for the sabbatical, three major criteria will guide the evaluation of sabbatical proposals. The Criteria include Teaching Excellence, Advancing Professional Development within the Discipline, and Contribution to MSU's Mission.

#### **Section 5: Review Process**

A call for sabbatical applications will go out from the Office of the University President, encouraging eligible faculty members to submit sabbatical applications in the Fall. In early April, the Faculty Senate Sabbatical Committee will host an "open house" workshop to provide an overview of the Faculty Sabbatical Program and to inform faculty members about the application process. Each faculty member is strongly encouraged to start planning for sabbatical leave in the Spring semester and should inform the appropriate chairperson at this time about her/his intention to submit a sabbatical application in the Fall. Successful applicants will be announced in December and will take their sabbatical leave during the following academic year.

#### **Travel (Job Related)**

Each college is allotted travel money for its members who may apply for partial coverage on professional trips. Authorization for requested travel and reimbursement must be obtained in advance. Faculty travel requests are initially submitted to the appropriate chairperson. Faculty must fill out the travel authorization form in advance of their departure for in state and out-of-state travel. Reimbursement rates are subject to change; therefore, the faculty member should check with the departmental chair as to the current reimbursement rates for lodging, meals, etc.

## Section F: Policies

### SBHE, State Board of Higher Education, Policies

Policies of the State Board of Higher Education (SBHE) apply to all campuses of the North Dakota University System. Those policies supersede any policies developed specifically at Minot State University. The text of all SBHE policies is available on the NDUS website:

<https://www.ndus.edu/>. The North Dakota University System Human Resource Manual is also available on the NDUS website.

### Affirmative Action Policy

The University practices a policy of affirmative action which provides equal employment opportunity for all individuals without regard to race, gender, color, religion, age, national or ethnic origin, marital status or disability. The complete text of the University's Affirmative Action Plan (1995) is available at the office of Human Resources.

### TITLE IX Sex/Gender Harassment, Discrimination, and Misconduct Policy

The material that follows is in summary form and is not intended to be all encompassing of Minot State University's *Title IX Sex/Gender Harassment, Discrimination, and Misconduct Policy*; it is intended to outline and detail concerns of sexual harassment, sexual violence, sexual misconduct, relationship (dating or domestic) violence and stalking, regardless of whether the alleged Prohibited Conduct occurred on or off of campus and regardless of the sex of the parties involved.

Detailed information of the policy can be found at [Minot State / Title IX / Policy and Key Terms](#). The University reserves the right to make changes to the policy described below, and any future changes or amendments will supersede the information in this handbook. If you have any questions, please contact Lisa Dooley, Ed.D. Title IX Coordinator at [lisa.dooley@ndus.edu](mailto:lisa.dooley@ndus.edu) or 701/858-3447.

### Employment

MSU prohibits discrimination on the basis of sex or gender when making decisions regarding employment unless a bona fide occupational qualification exists (BFOQ). This includes (but is not limited to) decisions for hiring, promotion, transfers, and salary administration. A BFOQ would exist if the duties of the position reasonably necessitate the choice of one sex or gender over the other.

All regular staff and faculty are considered Responsible Employees and are obligated to report cases of sex/gender-based discrimination of which they are aware. As an agent of the University, once an employee knows of the incident, then the University knows of the incident. Employees must report such cases to the Title IX office, and that office will coordinate the University's response. Employees outside of the Title IX office are not to investigate such cases.

### Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. Each of the parties, particularly in retrospect, may also view the relationship in different ways. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. The university does not wish to interfere with private choices regarding personal relationships

when these relationships do not interfere with the goals and policies of the university. For the personal protection of members of this community, relationships in which power differentials are inherent (such as faculty-student, staff-student, and administrator-student) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to either remove the employee from the supervisory or evaluative responsibilities, or shift the other party out of being supervised or evaluated by someone with whom they have established a consensual relationship. This includes resident advisors and students over whom they have direct responsibility. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

### Sex/Gender-based Misconduct/Violence

Sex/gender-based misconduct, whether involving violence or not, is a form of discrimination that is prohibited by this policy. Misconduct offenses include, but are not limited to, the following:

1. Sexual Harassment,
2. Non-Consensual Sexual Contact/Non-Consensual Sexual Intercourse (or attempts to commit same),
3. Sexual Exploitation, and
4. Other misconduct offenses when based on sex, gender, or sexual orientation.

SEXUAL HARASSMENT is:

- a) unwelcome, gender-based verbal or physical conduct that is,
- b) sufficiently severe, persistent or pervasive that it,
- c) unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the university's educational program and/or activities, and is
- d) based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sex/gender-based violence; intimate partner violence, stalking; gender-based bullying.

NON-CONSENSUAL SEXUAL CONTACT/ NON-CONSENSUAL SEXUAL INTERCOURSE is:

- a) any intentional sexual touching,
- b) however slight,
- c) with any object,
- d) by a person upon a person,
- e) that is without consent and/or by force.

Intentional sexual touching examples include: intentional contact with the breasts, buttock, mouth, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other orifice.

Non-Consensual Sexual Intercourse includes vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

3. SEXUAL EXPLOITATION occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

1. Invasion of sexual privacy;
2. Prostituting another person;
3. Non-consensual digital, video or audio-recording of nudity or sexual activity;
4. Unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;
5. Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
6. Engaging in voyeurism;
7. Knowingly transmitting an STD or HIV to another person;
8. Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals.

4. OTHER MISCONDUCT OFFENSES when based on sex, gender, or sexual orientation include:

Sex/gender-based threatening or intimidation, causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;

Sex/gender-based discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;

Sex/gender-based hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity;

Sex/gender-based bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.

Sex/gender-based violence between those in an intimate relationship with each other;

Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community or the safety of any of the immediate family of members of the community.

\* Misconduct offenses that are not sex/gender-based, therefore not falling under the Title IX policy, will be referred to the Faculty Handbook (for faculty). The complete handbooks are available at <https://www.minotstateu.edu/senate/faculty-handbook.shtml>.

## Reporting

The University's primary concern is the safety of its students, faculty and staff, and to encourage reporting of Prohibited Conduct. All University employees have a duty to report actual or suspected Prohibited Conduct to appropriate officials, though there are some limited exceptions



for those that fall under “confidential reporting.” A Reporting Party may want to consider carefully whether they share personally identifiable details with employees who have a duty to report, as those details must be shared by the employee with the Title IX Coordinator (or designee) and/or Deputy Title IX Coordinator(s). To be clear, employees with a duty to report must share all details of the reports they receive.

Failure of a non-confidential employee, as described in this section, to report an incident of sex/gender-based discrimination of which they become aware, is a violation of university policy and is subject to disciplinary action ranging from a warning up to and including termination of employment.

1. Reporting Party may request confidentiality.

If a Reporting Party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the Reporting Party may make such request to the Title IX Coordinator (or designee) and/or Deputy Title IX Coordinator(s), who will evaluate that request in order to ensure the safety of the campus, in compliance with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the University may be unable to honor a request for confidentiality. In cases where a Reporting Party requests confidentiality and the circumstances allow the University to honor that request, the University will offer interim support and measures to a Reporting Party and the community but will not otherwise pursue formal action.

2. Reporting Party will have their complaints promptly and thoroughly investigated.

A Reporting Party has the right and can expect to have complaints taken seriously by the University when reported, and to have those incidents investigated thoroughly and properly resolved through the procedures set forth below. The University will promptly act on any complaint or notice of violation of this Policy when received by Minot Police Department, MSU Campus Safety & Security, Title IX Coordinator (or designee) or any Deputy Title IX Coordinator(s), subject to Reporting Party’s request for confidentiality. The University will not discipline a student who makes a good faith report of Prohibited Conduct. Nevertheless, MSU will respond to each report of potential violations of this policy. MSU never assumes a violation of this policy has occurred based solely on an allegation. MSU will respond with the necessary inquiry and or investigation to determine whether the alleged violation has occurred. MSU’s response will take into account the totality of all evidence available from all relevant sources. The outcome of an allegation will be determined based on the preponderance of the evidence. This means that violations of this policy will be based on whether it is more likely than not that the prohibited act occurred.

3. Minot State University will conduct an investigation that will be separate from a criminal investigation; though communication with law enforcement will be maintained.

In campus disciplinary proceedings, legal terms like “guilt,” “innocence” and “burdens of proof” are not applicable. MSU’s responsibility to enforce this policy is not part of the criminal judicial system. Complainants may pursue a complaint with the University and the police simultaneously. The University may need to briefly suspend the fact-finding aspect of a Title IX investigation at the request of law enforcement while the law enforcement agency is in the process of gathering evidence. The University will maintain regular contact with law enforcement to determine when it may begin its investigation. The University will promptly resume its investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process, or

sooner if the University determines that the evidence gathering process will be lengthy or delayed. The University will not delay its investigation until the ultimate outcome of the criminal investigation. However, the University reserves the right to implement appropriate interim measures during any law enforcement agency's investigative period when the University has temporarily deferred its investigation, to assist and protect the safety of the complainant(s) and the campus community and to prevent retaliation.

MSU's response to a report will be more effective if the report is made soon after the incident. However, the more time passes after the incident, the more difficult it may be for MSU to respond or potentially sanction the Responding Party. In cases where the alleged perpetrator (Responding Party) is no longer subject to the University's jurisdiction, the ability to investigate, respond and implement interim or supportive measures may be more limited. However, the Responding Party (if a student) will receive a hold on their account until the matter has been resolved.

All reports of sex/gender-based discrimination are formal reports regardless of the method used. Reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told. Information will be shared as necessary with investigator(s), witnesses, and the Responding Party. The circle of people with this knowledge will be kept as tight as possible to preserve both the Reporting Party's and Responding Party's rights and privacy.

Anonymous reports can be made by a Reporting Party and/or third parties using the online reporting form posted at <http://www.minotstateu.edu/title9/incident-reporting.shtml>. Note that these anonymous reports may prompt a need for the institution to investigate.

Reports to the Title IX Coordinator (or designee) and/or Deputy Title IX Coordinator(s) can be made via email, phone, or in person at the contact information below:

Lisa Dooley, Ed.D.  
Title IX Coordinator  
Title IX Office  
Memorial Hall, 4<sup>th</sup> Floor, Room 412  
701-858-3447  
[titleix@minotstateu.edu](mailto:titleix@minotstateu.edu)

Kevin Harmon  
Deputy Title IX Coordinator  
Vice President, Student Affairs  
Administration Bldg., 1st Floor  
701-858-3410  
[kevin.harmon@minotstateu.edu](mailto:kevin.harmon@minotstateu.edu)

Gary Orluck  
Deputy Title IX Coordinator  
Director, Campus Safety and Security  
Plant Services  
701-858-4016  
[gary.orkluck@minotstateu.edu](mailto:gary.orkluck@minotstateu.edu)

Cari Olson  
Deputy Title IX Coordinator  
Director, Institutional Research  
701-858-3323

## Title IX Process

While each case is different, it is the intent of the University to complete the Title IX matter from the initial complaint to the outcome determination within sixty (60) calendar days of the complaint filed. Some cases may require an extension due to investigative processes, at the Title IX Coordinator's (or designee) discretion. Per federal guidelines, there are no set timelines for stages in a Title IX case, except being designated by the institution and conducted in a prompt, equitable and thorough manner to all involved parties.

Notice of Allegation to Title IX Coordinator (or designee). Reports should be received by the Title IX office as soon as possible following an incident to ensure the best possible opportunity for the University to have access to accurate information. There is no time limitation on the filing of grievances. However, if the Responding Party is no longer subject to the University's jurisdiction, the ability to investigate, respond, and implement interim or supportive measures may be more limited.

Title IX Eligibility Determined. Once a report is received, the Title IX Coordinator (or designee) will contact the Reporting Party to schedule a time to clarify issues pertaining to the report. Depending upon the Reporting Party's desire and availability, the Title IX Coordinator (or designee) will then meet with the Reporting Party.

Interim and Supportive Measures. When warranted by the circumstances surrounding a complaint of sex/gender-based misconduct, the University may implement interim and supportive measures until its investigation is concluded.

Notification of Investigation. The Title IX Coordinator (or designee) will issue letters notifying the Reporting Party and the Responding Party of the University's intention to investigate the case. The Notification of Investigation letter will identify the following: a procedure for promptly and effectively notifying both Reporting Party and Responding Party of the initiation of an investigation; the potential policy violation(s) at issue; the right to participate in the investigation; the timeframe for responding; and that the investigation may proceed without the participating of either party.

Assignment to Investigation Team. If the decision is made to commence an investigation, the Title IX Coordinator (or designee) will appoint an investigator(s) to conduct the investigation (typically utilizing a team of two investigators).

Investigations. Investigations will be conducted fairly and impartially ensuring that both the Reporting Party (ies) and Responding Party (ies) have an equal opportunity to present all relevant information, documentation, evidence, and witnesses to the incident.

Notice of Outcome. The Title IX Coordinator (or designee) will issue letters notifying the Reporting Party (ies) and the Responding Party (ies) of the investigation's determination.

Notice of Implementation of Remedies/Sanctions. Once a sanction or responsive actions are determined it will be effective immediately.

## Appeal Process

Notice of Appeal. Any party may appeal, but appeals must be submitted in writing to the Title IX Coordinator (or designee), within four (4) business days when the sanction does not involve

student suspension, expulsion, or dismissal from employment. Appeals are based on the date of the Notification of Outcome letter.

Additional specified timelines include the following:

- a) Within twenty (20) calendar days for faculty when the sanction is dismissal from employment. (SBHE Policy 605.4)
- b) Within five (5) working days for staff when the sanction is dismissal from employment. (NDUS HR Policy 27.2)
- c) Within one (1) year for students when the sanction includes suspension or expulsion. (SBHE Policy 514)

Appeals are not intended to be full investigations of the original complaint or an opportunity for an appellate body to substitute their judgement for that of the assigned investigators. Instead, appeals may be requested to the Title IX Coordinator (or designee) in the following circumstances:

- a) Procedural error that significantly impacted the case outcome;
- b) New evidence that was not available during the investigation that would likely change the outcome; or
- c) Sanction that is substantially disproportionate to the severity of the violation.

The Title IX Coordinator (or designee) will review the revised report to determine if the original finding should stand or be reversed. The original finding and sanction/responsive actions will stand if the appeal is not based on the grounds listed above, and such a decision is final. When the appeal is based on new evidence, the Title IX Coordinator (or designee) will return the case to the original assigned investigator(s) for reconsideration. The investigator(s) will supplement the previous investigation, which may include recalling witnesses, and issue a revised report.

When the appeal is based on a procedural error or a sanction substantially disproportionate to the severity of the violation, a three-members panel will be designated by the Title IX Coordinator (or designee) comprised of the Title IX Coordinator (or designee), Deputy Title IX Coordinator(s) and/or Title IX investigators not directly involved in the case. The appeals panel will review the appeal request(s) to determine if the original finding should stand, be modified, or be reversed.

The appeals process shall be deferential to the original decision-making body, reversing the case finding only when there is clear error and modifying the sanction only when it is found to be substantially disproportionate to the severity of the violation. The original decision and sanction are presumed to have been determined reasonably and appropriately. Therefore, the burden is on the appealing party to show clear reasoning for a reversal of finding or modification of sanction. At the discretion of the Title IX Coordinator (or designee), implementation of sanctions may be stayed pending review of an appeal.

**Notice of Final Determination.** Once the final result of an appeal is determined, the Title IX Coordinator (or designee) will render notice of the appeal outcome to the Reporting Party and the Responding Party within four (4) business days of the resolution of the appeal or remand. This will be the final decision on the matter. Further appeals are not permitted, even if a decision or sanction is changed on remand.

In cases where the appeal results in reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the Responding Party to their prior status, recognizing that some opportunities may be irreparable in the short term.

## Retaliation

It is a violation of University policy and state law to retaliate against any person reporting or filing a complaint of sex/gender-based harassment, discrimination, or misconduct. Such conduct is inconsistent with University policy and may be prohibited by law.

“Retaliation” is defined as any adverse action taken against a person making a complaint of prohibited conduct or against any person involved or participating in the investigation of any such allegation. Report alleged acts of retaliation to the Title IX Coordinator (or designee), and Deputy Title IX Coordinator(s).

## Discipline/Sanctions

Not all forms of sex/gender-based discrimination will be deemed to be equally serious offenses, and the university reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. The university will consider the concerns and rights of both the Reporting Party and the Responding Party.

The following lists of sanctions may be imposed upon current members of the campus community found to have violated this policy.

Sanctions for current university employees include:

1. Warning (Written or Verbal)
2. Performance Improvement Plan
3. Required Counseling
4. Required Training or Education
5. Demotion
6. Reduction in Pay
7. Loss of intended pay increase
8. Suspension with pay
9. Suspension without pay
10. Termination

## Sanction Considerations:

- a) Any person found responsible for non-consensual or forced sexual contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion (student) or a written warning to termination (employee), depending on the severity of the incident, and taking into account any previous disciplinary violations.
- b) Any person found responsible for non-consensual or forced intercourse will likely face a recommended sanction of suspension or expulsion (student) or suspension or termination (employee).
- c) Any person found responsible for sex/gender-based exploitation or sex/gender-based harassment will likely receive a recommended sanction ranging from warning to expulsion or termination, depending on the severity of the incident, and taking into account any previous disciplinary violations.
- d) Anyone not a student or an employee found responsible for non-consensual or forced sex/gender-based contact, intercourse, exploitation, or harassment can expect a sanction proportional to the findings/conclusions of the University, including temporary or permanent prohibition from campus and Minot State University events. Minot State University also reserves the right to report a non-student or non-employee to law enforcement for conduct that violates the North Dakota Century Code.

- e) In cases where sex/gender-based harassment, assault, or violence is found to have occurred, the University will determine appropriate, enforceable sanctions reasonably calculated to stop the harassment and prevent its recurrence; and the University will not negotiate a settlement with the employee or student for lesser actions that would not be reasonably calculated to end the sex/gender-based harassment, assault and violence; eliminate the hostile environment; prevent its recurrence; and remedy the discriminatory effects on the complainant and others as appropriate.

The decision-making body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior.

### **Prevention, Education & Training**

Minot State University is committed to the prevention of sex/gender-based misconduct, intimate partner abuse, and stalking through educational and awareness programs. Prevention and education programs include an overview of the university's policy and procedures; relevant definitions, including prohibited conduct; the impact of alcohol and illegal drug use; effective consent; safe and positive options for bystander intervention; and information about risk reduction, resources, and reporting options.

The Department of Education can withhold federal funding from any institution that doesn't comply with Title IX. Since 2001, the Department of Education has issued guidance to schools with steps to follow in order to comply with Title IX; one such step is Title IX training for all campus community members.

### **Employee Training**

Every MSU employee must complete this training each academic year. All new employees will receive primary prevention and awareness programming as part of their orientation. Returning employees will receive ongoing training each academic year. MSU employees who fail to complete required training by the stated deadline may be subject to appropriate disciplinary action (i.e. a letter of reprimand placed in their personnel file).

This training, by its nature, addresses issues of sexual harassment, misconduct, and violence. MSU understands that the training may trigger an emotional response, especially if you have experienced or been impacted by these issues or behaviors. If you have concerns, questions, or would like additional information regarding the training, please contact the Title IX office electronically.

## **Significant Infectious Diseases Policy**

### **Definition and Procedure**

For the purpose of this policy, significant infectious diseases are defined as blood borne pathogens and reportable communicable diseases (for example, influenza, meningitis, tuberculosis, mumps). Minot State University will follow the policies and recommendations of the Centers for Disease Control of the U.S. Public Health Service and the North Dakota State Health Department and will work in cooperation with local health authorities to prevent the spread of significant infectious diseases and will promote, through education, the prevention of such diseases.

**AIDS: Prohibiting Discrimination against Faculty, Staff, Students, or Others using University Services.**

Privacy Rights and Notification to the University

Minot State University upholds the right of privacy for individuals infected with the human immunodeficiency virus (HIV), including those who have developed AIDS. These individuals retain the right to select the people they wish to inform concerning their HIV/AIDS status. The guidelines outlined on the HIV testing consent form for reporting requirements according to the North Dakota law are followed.

If individuals with HIV/AIDS request special accommodations in order to continue their education at MSU, they will notify the Director of Student Health Service. The Director will request the President of MSU to convene the Significant Infectious Disease (SID) committee.

#### Significant Infectious Disease Committee

**Membership:** The Affirmative Action Officer shall serve as the committee's chair. The Director of Student Health, Medical Provider, one Vice Presidential representative as appropriate from either Academic Affairs, Operations or Student Affairs, and a representative from First District Health Unit Infection Committee.

**Term:** Only so long as needed for the committee to report its recommendations to the university president.

**Duties:** The Significant Infectious Disease Committee shall review and make recommendations regarding any reasonable request for workplace restrictions on a faculty or staff member diagnosed as having AIDS. Similarly, the Committee shall review and make recommendations regarding any reasonable accommodations or restrictions on the educational programs or other university activities of a student diagnosed as having AIDS.

The university shall abide by the recommendations of the Committee; however, the president retains the right to modify or reject the committee's recommendations.

The Committee will consult with, or request assistance from those university administrators most closely related to the accommodation requested by the individual. Additional assistance or information may be requested from the individual's physician and from the North Dakota State Health Officer.

#### Faculty/Staff

Confidentiality of faculty or staff members with HIV/AIDS will be maintained. Faculty and staff members diagnosed as having AIDS will be protected from discrimination in their employment and will be considered as handicapped persons with a life limiting disease as defined by the Rehabilitation Act of 1973.

#### Students

Confidentiality of students with HIV/AIDS will be maintained. Students diagnosed with HIV/AIDS will be protected from discrimination in their educational program, housing accommodation, food services and related student services or opportunities. They will be considered handicapped persons with a life limiting disease as defined by the Rehabilitation Act of 1973.

#### Services Provided by the University

University faculty/staff or students, as part of their work or their education program, will not discriminate against individuals diagnosed with HIV or AIDS, who receive their services at MSU. Universal precautions are followed treating each person as potentially being at risk for carrying a significant infectious disease.

AIDS-related protocol established by the Centers for Disease Control, U.S. Public Health Service, will serve as a primary, but not exclusive, source of information in reviewing individual

cases. Applicable federal and state laws, rules, and regulations as well as university equal opportunity policies covering handicapping conditions will be followed in applying this policy.

#### AIDS-Related Complex

No special employment or educational discrimination provisions are recommended for persons with AIDS-related complex, ARC.

#### Hepatitis B

No special employment or education discrimination provisions are recommended for persons with Hepatitis B, except that standard medical protocol for prevention and treatment shall be followed.

#### Preventive Medical Protocol:

The university will practice universal precautions in handling bodily fluids and waste and shall adopt standard medical preventative protocol procedures to protect specific employee groups or students who may have potential exposure to such significant infectious diseases either in the workplace or in an educational setting.

Reportable Diseases and Illnesses: Mandatory reportable conditions will be reported within 7 days to the North Dakota Health Department unless otherwise specified.

Confidentiality: Information regarding any person affected by infectious disease as defined within this policy will be treated with the same confidentiality as provided for all medical records under university policy.

### Accident Reporting Policy

An incident report form must be filed in connection with all incidents involving the general public. An “incident” means any event that results in damage to property (not owned by the State) or injury to someone other than a State employee (if a State employee is injured while on the job, workers compensation coverage applies). Each NDUS institution has, pursuant to SBHE policy 302.9 and OMB instructions, designated a risk management contact employee responsible for completing and filing incident report forms. The risk management contact at the University is the Human Resource Director. The incident reports generally must be filed within 48 hours. The first thing to do following an incident is to assist anyone who may be injured and, when necessary, call for help. Next notify the risk management contact employee. Write down names and addresses or telephone numbers of injured persons and witnesses. Do not speculate about or state an opinion concerning why or how the accident happened, or who may be responsible. Do not prepare statements or sign documents before consulting legal counsel or institution/State risk management officials. It is best not to discuss the incident with anyone (except to furnish pertinent information concerning a traffic accident or possible crime to law enforcement officers) without first speaking to legal counsel or the institution’s risk management contact. If someone demands compensation or in- quires about filing a claim, advise that person that a report of the incident will be filed with the State risk management fund and a claim form will be mailed to them. Advise the institution’s risk management contact to inform OMB that a request to file a claim has been made.

### Tobacco-free Campus Policy

To become a “CEO Cancer Gold Standard institution,” Minot State University must help fight cancer, by meeting three goals: risk reduction through lifestyle change, early detection and



quality care. Part of reaching these goals includes establishing and enforcing a tobacco-free worksite policy and providing health benefit plan coverage for tobacco treatments (counseling and medications). The health hazards of tobacco use have been well established. Cigarette smoking kills nearly 500,000 Americans annually. Secondhand smoke is a Class A carcinogen (cancer-causing agent); according to the 2006 US Surgeon General's Report, there is no safe level of exposure to secondhand smoke. Smokeless tobacco contains 28 carcinogens, and according to the Centers for Disease Control and Prevention, is known to increase the risk of developing cancer of the oral cavity. This policy is established to protect the health and promote the wellness and safety of all students, employees and the general public. For purposes of this policy, tobacco use includes the possession of any lighted tobacco product or the use of any oral tobacco product, including electronic cigarettes.

### Policy

Minot State University is a tobacco-free campus. The use of tobacco on university property, indoors or outdoors or in university vehicles, is prohibited at all times. This prohibition includes smoking in personal vehicles parked on university grounds. The policy applies to all employees, students and visitors. This policy also applies to external individuals or companies renting or using space with MSU and should be reflected in all agreements/contracts with such individuals or companies.

The North Dakota Public Employees Retirement System (NDPERS) Health Care Plan provides a North Dakota Tobacco Cessation Program to all benefitted employees interested in quitting tobacco use. For more information, call 1-877-737-7730. For others, assistance in quitting tobacco use is available locally through the First District Health Unit at 701-852-1376. The North Dakota Tobacco Quitline is also available at 1-800-784-8669.

### Responsibility/Enforcement

The responsibility lies with the employees, students and visitors of Minot State University to abide by this policy. A student in violation should be reported to the Vice President for Student Affairs. An employee in violation should be reported to his or her supervisor. Repeated student violations will result in disciplinary action as outlined in the Student Conduct Policy in the Student Handbook. Repeated employee violations will result in disciplinary action as outlined in applicable State Board of Higher Education policies. Visitors who persist in noncompliance must be directed off university grounds.

### Communication

Tobacco-free signs on campus will be placed on campus. This policy and explanation will be printed in university publications, including the Student Handbook, the Faculty Handbook, and other publications, as deemed necessary. It is also posted on the Staff and Faculty webpage and in the MSU Human Resource Policy and Procedure Manual found on the Human Resources webpage.

Information regarding the Tobacco-free Campus Policy will be included in formal and informal orientations for new students and employees. This policy will be sent out as a reminder, through campus announcements, at the beginning of each semester/term. Organizers of events are responsible for communicating this policy to attendees.

### Ceremonial Use Exception

The tobacco-free policy may not apply to specific activities used in connection with the practice of cultural activities by American Indians that are in accordance with the American Indian

Religious Freedom Act, 42 U.S.C. 1996 and 1996a, All ceremonial use exceptions must be approved in advance by the President of Minot State University or designee.

## **Tobacco Education**

Benefits of Being Tobacco Free:

- Normal blood pressure, pulse and body temperature
- Minimize chances of heart attacks
- Cilia in the lungs regrow, increasing the lungs ability to handle mucus, clean themselves and reduce infection
- Coughing, sinus congestion, fatigue and shortness of breath decreases
- Overall energy level increases
- Decrease chances of lung, throat, kidney and pancreas cancers
- Fresh breath
- Whiter teeth
- Save money!

Within 20 minutes of quitting, heart rate drops; 12 hours after quitting, carbon monoxide level in your blood drops to normal; weeks to months after quitting, heart attack risk begins to drop, lung function begins to improve and 1 year after quitting, the added risk of coronary heart disease is half that of a smoker's.

Links - For More Information on Tobacco Cessation Programs

- American Lung Association
- North Dakota Tobacco Quitline
- First District Health Unit – Tobacco Use Prevention
- First District Health Unit – You Can Quit Classes
- [smokefree.gov](http://smokefree.gov)

## **Drug-free Campus Policy**

The University prohibits the use, possession or sale of alcoholic beverages in classrooms, laboratories, bathrooms, offices, residence halls, University housing units, athletic facilities, State fleet vehicles, other campus building areas, public campus areas, or in outdoor campus areas. The University's drug-free campus policy outlines standards of conduct, the law, health risks, where to turn for help, and violation sanctions for students.

## **Substance Abuse Policy for Faculty and Staff**

### **Purpose**

The University recognizes that the use of illegal drugs, and abuse of alcohol and prescription drugs is a serious problem within our society. In response to this concern, the University is committed to the following goals:

1. to establish and enforce campus policies regarding the use of alcohol and illegal drugs;
2. to educate members of the campus community for the purpose of preventing alcohol abuse and illegal drug use;
3. to create a campus environment that promotes the individual's responsibility to him/herself and to the campus community; and
4. to provide resources through counseling and referral services for students, faculty, and staff who experience alcohol and other drug abuse problems.

## Policy

The University prohibits the use of alcohol or illegal drugs, as well as reporting for work or engaging in work or other University-related activities under the influence of alcohol or illegal drugs. Behaviors, which suggest alcohol or drug abuse, include (but are not limited to) the following:

- Repeated accidents (on or off campus)
- Repeated illness absences
- Chronic lateness or early departures
- Significantly diminished task performance (with no other explanation)
- Odor of alcohol, slurred speech, unsteady gait, disorientation, paranoia, hallucinations and other physical signs of impaired function, not caused by a known medical condition.

A faculty or staff member who suspects that a colleague or co-worker is under the influence of alcohol or illegal drugs should contact his or her department chair or supervisor immediately. A faculty or staff member who suspects that a supervisor or department head is under the influence of alcohol or other illegal drugs should contact the next level of supervision or administration.

If a department chair, supervisor, or administrator has been contacted, or suspects that an individual is under the influence of drugs or alcohol, she or he should contact the Director of the Employee Assistance Program (Director of Student Health), Personnel Services, or the next level of administration for assistance. The individual will be given an opportunity to discuss the situation. A person suspected or found to be under the influence of alcohol or other drugs, who may be incapable of performing his or her job will be sent home. The individual will be taken home or sent home in a taxi. Anyone who insists on driving while suspected of being under the influence of alcohol or other drugs will be reported to authorities.

If a person admits to being under the influence of alcohol or illegal drugs, drug or alcohol testing of the individual may not be necessary. In these cases, a mandatory referral will be made for evaluation by a licensed addiction counselor on or off campus.

If it is determined that testing is necessary because of a critical incident in the workplace or because of safety concerns for the individual, colleagues, or co-workers, blood and urine testing procedures will be used. The University will pay the cost of all required drug or alcohol testing. Drug or alcohol testing may be conducted at the Student Health Service or other appropriate health agency with test samples sent to a certified laboratory for analysis. Random drug or alcohol testing is not explicit or implicit in this policy.

An individual suspected or found to be under the influence of alcohol and/or illegal drugs, will be referred for evaluation to a licensed addiction counselor, and, if indicated, will be expected to participate in an appropriate treatment program for rehabilitation. If an individual refuses evaluation, refuses to participate in the appropriate treatment program, if it is indicated, or does not successfully complete the program, she or he will be subject to disciplinary actions up to and including dismissal.

If the individual is able to continue working while involved in the treatment program, his or her supervisor, department head, or department chair will determine if the individual is capable of performing regular job duties. If it is decided that the person should not work at his or her regular job, a temporary alternate job may be offered if one is available for which the person is qualified, or she or he will be placed on leave of absence with or without pay based on the appropriate leave of absence policy.

## Conviction of Criminal Drug Statute Violation

Any faculty or staff member convicted of violating a criminal drug statute in this workplace must inform his/her department chair or the supervisor of such conviction (including pleas of guilty or nolo contendere) within five working days of the conviction occurring. Failure to inform will subject the individual to disciplinary action, up to and including dismissal for the first offense. Under the Drug-free Workplace Act of 1988, the University will notify the federal contracting officer within 10 days of receiving such notice from a faculty or staff member on a federal grant or contract or otherwise receiving notice of such a conviction.

The University reserves the right to offer individuals convicted of violating a criminal drug statute in the workplace participation in an approved rehabilitation or drug assistance program as an alternative to discipline. If such a program is offered, and accepted by the faculty or staff member, then she or he must satisfactorily participate in the program as a condition of continued employment.

### **Aftercare**

Upon completion of the initial alcohol or drug treatment program, the individual may be monitored for up to two years by the supervisor and department head as determined by the treatment program.

As a part of the aftercare program, monthly reports from the licensed drug or alcohol treatment program will be submitted to the supervisor or department chair on the individual's program while s/he is in the program. Reports of relapses or missed aftercare meetings also will be reported to the supervisor or department chair by the licensed alcohol/drug treatment program.

Non-compliance in the above-stated elements of the aftercare program will result in disciplinary actions up to and including dismissal.

### **Prescription Drugs**

Although prescription drugs and over the counter drugs are legal, their use may be unsafe under certain circumstances. A person who is using a drug which impairs mental or physical functioning should inform his/her supervisor or department chair. The supervisor will be responsible for evaluating the individual's ability to work. If necessary, the faculty or staff member may be requested to obtain a statement from the prescribing physician, authorizing the individual to work. If it is determined that it would be unsafe for an individual to work in the regular work setting, an alternative, temporary job may be offered if one is available for which the person qualified. If no suitable job is available, the impaired person will be sent home.

### **Sale, Transfer, Possession of Illegal Drugs**

Possession of illegal drugs is prohibited and anyone in violation shall be subject to discipline. Any person who sells, manufactures, distributes any illegal drugs on University property will be reported to the authorities and will be subject to dismissal.

### **Legal Sanctions**

Under the North Dakota Century Code, persons in the workplace suspected of violating either alcohol or drug statutes may be referred to civil authorities for prosecution. Conviction of either state or federal alcohol or drug statutes will subject an individual (faculty or staff) to disciplinary action including, but not limited to, a required rehabilitation program, suspension, demotion, or dismissal.

Other drug or alcohol-related statutes may apply in specified circumstance for which a person may be disciplined or prosecuted by appropriate University or civil authorities, respectively. Disciplinary and appeal procedures for faculty are found in the Faculty Handbook and for staff in the Staff Personnel Policy Manual.

## Sources of Education and Counseling

The University offers an Employee Assistant Program, EAP, which can be used for referrals to appropriate support agencies or services. The Vice President for Student Affairs is the contact person.

Trinity Health Center in Minot offers educational programs for persons seeking assistance in drug and alcohol evaluation, intervention, treatment, and aftercare. Other agencies or licensed addiction counselors are listed in the yellow pages of the telephone book under “Alcoholism Treatment” and “Drug Abuse Information and Treatment.”

## Reporting Requirements and Records Retention

A department chair or supervisor who has disciplined a faculty or staff member for alcohol or drug-related workplace problems or who has knowledge of an alcohol or drug-related conviction, shall notify the appropriate vice president in the area the faculty or staff member is employed. The following information will be retained: faculty or staff member’s name, department, date and type of offense, date and type of action taken, and any follow-up or aftercare required. Disciplinary reports on staff shall be submitted to Human Resources, which shall be the official depository of these data. Disciplinary reports on faculty shall be placed in their official personnel file with copies to their vice president. Referral data for evaluation, treatment or aftercare that are non-disciplinary or contain medical information shall be retained by the EAP Director.

The University will undertake, at minimum, a biennial review of the program to (1) determine effectiveness of and changes to the program, and (2) to ensure that disciplinary sanctions are consistently enforced.

## Media Relations Policy

All public statements, news media interviews, news conferences and news releases concerning MSU general policies and operations, and controversial or sensitive issues, shall be coordinated through the President’s Office and the Public Information Office.

Copies of all written announcements or news releases shall be provided to the President’s Office and the Public Information Office prior to release.

The Public Information Office shall be a primary point of contact for news reporters as a source for referral of media inquiries to other campus personnel.

All campus entities shall keep the President’s Office and the Public Information Office briefed and informed about activities, issues and operations.

## Visual Review Policy

Regardless of where it is to be printed, ALL publications and print materials must be submitted to Publications and Design Services for approval prior to being produced. Along with printed pieces, this also includes any type of advertising, promotional materials, video and broadcast media.

Materials which must adhere to this policy include:

- any printed material that promotes specific programs, departments, activities, or special events at Minot State University. Note: While responsibility for originating and funding these materials rests with the academic unit, Publications and Design Services must approve these publications before they are printed
- forms, invoices, and order blanks — especially those which will be sent off campus in the conduct of university business
- surveys, polls, questionnaires, or any material distributed with the express purpose of

- gathering information about perceptions of Minot State
  - any form of advertising, regardless of circumstance — includes any classified ads (open positions)
  - merchandise to be sold or given away, such as coffee mugs, pens, etc.
- video and broadcast media such as videotapes, CDs, broadcast advertising, and other multi-media projects
- Exceptions to this policy include:
- course syllabi
  - class handouts
  - internal (on-campus) communications
- To ask questions or submit a project for approval, contact Publications and Design Services.

## Institutional Review Board (IRB) for Protection of Human Research Subjects

All universities, hospitals, and other institutions that conduct research using humans as research subjects are required by law to establish a committee responsible for reviewing proposed research involving human subjects. The purpose of the IRB is to ensure that the rights and welfare of research subjects are protected. To comply with this law and to ensure ethical research, Minot State University has established the IRB.

Minot State University's IRB policy requires that all research involving human subjects, whether funded by an external organization or not, must comply with regulations for human subject research established by the U.S. Department of Health and Human Services as described in the Code of Federal Regulations 45 CFR 46 and by Minot State University IRB policies. This means that projects involving human subjects must have IRB approval prior to project initiation. This website has the materials that will help you in obtaining IRB approval for your project.

### IRB Applications

Research involving human subjects must have full IRB approval prior to implementation. Applications and additional information can be obtained at: <https://www.minotstateu.edu/IRB/>.

### Required Training

Principal Investigators (PI) of research involving human subjects are required to complete the CITI course, Social/Behavioral Research Investigators and Key Personnel (ID 883) prior to conducting research. The PI assures that all those persons listed on the application who are involved in the research have completed in IRB human subjects training requirements. Student researchers under the supervision of faculty/staff PI's are covered by the PI's CITI training. Online training is available, at no cost to the investigator, through CITI at <https://about.citiprogram.org/en/homepage/>.

### IRB Membership

Minot State's IRB membership shall be consistent with regulation §46.107 of the Code of Federal Regulation 45 CFR 46:

- a) Minot State's IRB shall have *at least five members*, with varying backgrounds to promote complete and adequate review of research activities commonly conducted by faculty,

students, and/or employees. The IRB shall be sufficiently qualified through the experience and expertise of its members (professional competence), and the diversity of its members, including race, gender, and cultural backgrounds and sensitivity to such issues as community attitudes, to promote respect for its advice and counsel in safeguarding the rights and welfare of human subjects. The IRB shall be able to ascertain the acceptability of proposed research in terms of institutional commitments (including policies and resources) and regulations, applicable law, and standards of professional conduct and practice. The IRB shall therefore include persons knowledgeable in these areas. If an IRB regularly reviews research that involves a category of subjects that is vulnerable to coercion or undue influence, such as children, prisoners, individuals with impaired decision-making capacity, or economically or educationally disadvantaged persons, consideration shall be given to the inclusion of one or more individuals who are knowledgeable about and experienced in working with these categories of subjects.

- b) Minot State's IRB shall include at least one member whose primary concerns are in scientific areas and at least one member whose primary concerns are in nonscientific areas.
- c) Minot State's IRB shall include at least one member who is not otherwise affiliated with the institution and who is not part of the immediate family of a person who is affiliated with the institution.
- d) Minot State's IRB will not have a member participate in the IRB's initial or continuing review of any project in which the member has a conflicting interest, except to provide information requested by the IRB.
- e) Minot State's IRB may, in its discretion, invite individuals with competence in special areas to assist in the review of issues that require expertise beyond or in addition to that available on the IRB. These individuals may not vote with the IRB.
- f) Minot State's IRB members are required to take the CITI online course, or a similar nationally recognized IRB training course, regarding the protection of human subjects in research before they can be considered a voting member of the board.
- g) The size of Minot State's IRB at any point in time should be no fewer than five members and no more than fifteen.
- h) To hold a vote of any nature, there must be a quorum present. A quorum shall be considered a simple majority of all official members excluding the Chair.

IRB Chair and Vice-Chair are faculty with the appropriate terminal degree, usually at the doctoral level. The Chairperson and Vice-Chairperson are nominated and elected by the IRB, and these two positions may be renewed yearly.

Removal of Members: Minot State IRB members may be removed due to inappropriate conduct or failure to fulfill the essential duties of a Minot State IRB member.

- a) In the unlikely event that a member of the IRB should conduct him/herself in a manner resulting in a consideration for a request for removal from the IRB, such a member can be removed from the board with a vote of two-thirds of the membership of the IRB.
- b) Members may also be automatically removed from the board for failure to fulfill the essential duties of an IRB member. Essential duties include timely review of proposals assigned to the board member and attendance at regularly scheduled board meetings. Within one academic year, failure to attend three board meetings or complete three reviews within the time guidelines established will result in automatic termination of a member's term on the board.

- c) The IRB Chair and Vice-Chair can only be removed from office by a two-thirds vote of the membership of the IRB. Anyone removed as Chair or Vice-Chair may retain regular IRB membership for the duration of his/her term, unless the person is removed from the IRB by the procedure outlined in the above paragraphs.

Method of selection: Minot State's IRB members shall be nominated by the IRB membership at large. Following IRB approval of the new member and consent of the potential member to serve, the Chair will appoint the new member.

Term: The term of appointment shall be for three years. At the expiration of a term, a board member may request appointment to another three-year term. Approximately one-third of the membership will be reappointed or replaced every three years.

Method for filling a vacancy: When a vacancy arises, Minot State's IRB members shall nominate a new member. Following IRB approval of the new member and consent of the potential member to serve, the Chair will appoint the new member.

Duties: The Institutional Review Board will ensure that research activities conducted in association with Minot State University comply with federal regulations established to protect the rights of subjects who participate in research projects. One of the primary responsibilities of the IRB is assessing risks and benefits to human subjects. In respect to the risk/benefit analysis, research projects are submitted under one of the three categories: exempt, expedited, or full board.

## Agreement for Research in Minot Public Schools

Minot State University and the Minot Public School District (MPSD) agree to work cooperatively in conducting educational research involving students or teachers in the Minot School District. This agreement states the procedures to be used when either party decides to undertake such research. The current Agreement is located on the IRB website, <https://www.minotstateu.edu/IRB/>

*[Revised December 2019](#)*

## Minot State University Textbook Selection Policy

A faculty member who assigns textbooks or other curricular materials for which he or she receives royalty payments or other remuneration, and chooses to assign that remuneration, shall register that decision by his or her signature on his or her textbook adoption form.

A faculty member who assigns textbooks or other curricular materials for which he or she receives royalty payments or other remuneration, and chooses to retain that remuneration, must request approval from his or her department or division chair. This approval shall be registered by the chair's signature on the faculty member's textbook adoption form.

If the faculty member is chair of the department or division, he or she must request approval from the Assistant to the VPAA, which shall be registered by their signature on the textbook adoption form.

Any faculty member who is refused this approval may appeal to the Faculty Senate for a reversal of the decision. The appeal procedure shall commence when the President of the Faculty Senate receives a written letter from the faculty member requesting a review of the decision. The Faculty Senate shall vote on whether to reverse or uphold the decision. (Implementing SBHE



611.9)

### **Sales of Educational Materials**

Required classroom or laboratory materials, which are written or otherwise prepared by the University personnel for sale to students, must be sold through the University Bookstore and are governed as follows:

- Materials printed on-campus must be sold at a price that includes only production and distribution costs.
- Materials printed off-campus for distribution through the University Bookstore must first receive the approval of the chair.
- Bookstore cost of materials published by commercial printing houses for national distribution will be set by the publisher.

The University will not copy, and the Bookstore will not sell, any materials that violate federal copyright laws. Any materials using copyrighted information without the proper release forms from the publisher may not be copied or sold on the campus. This includes but, is not restricted to:

- Textbooks/manuals.
- Articles/pamphlets.
- Software
- Videotapes/recordings

### **Conflict of Interest Policy**

#### **SBHE Policy 611.4 Employee Responsibility and Activities: Conflict of Interest**

1. An officer of the North Dakota State Board of Higher Education authorized to sell or lease any property or make any contract in the officer's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract.
2. Pursuant to N.D.C.C. Section 48-02-12, employees of the Board may not have any interest in a public construction or repair contract.
3. An employee of the Board may not have an interest in any contract involving the expenditure of public or institutional funds entered into by the institution that the employee serves or by the Board unless: a. N.D.C.C. Sections 12.1-13-03 and 48-02-12 do not apply; and b. the contract is approved by the institution's chief financial officer or, if the employee in question is the chief financial officer or president of an institution or an officer of the Board, by the Board, following full disclosure of the employee's interest.
4. All employees involved in projects receiving federal funds shall consult applicable federal laws and regulations and comply with conflict of interest rules which may govern federal grants or other sponsored agreements.
5. An officer or other employee who violates this policy is subject to dismissal or other disciplinary action.

### **Intellectual Property Policy**

#### **1. General Principles**

- a. Minot State University (MSU) 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 distributed

and utilized outside of MSU. Through this policy, MSU seeks to execute a synergistic model of education, research, outreach, service, and economic development to accomplish a greater good.

- b. This policy and procedure are written under the authority of and in compliance with North Dakota State Board of Higher Education (SBHE) Policy 611.2: Employee Responsibility and Activities: Intellectual Property (last amended November 30, 2017).
- c. The primary purposes of this policy are to:
  - i) Provide clear guidance for all involved in the creation, development, management, protection, and dissemination of discoveries and intellectual property (IP) at MSU.
  - ii) Provide for an effective and efficient process to achieve positive outcomes for creators and MSU.
  - 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 relationships to support economic development.
  - vi) Encourage a broad array of mutually beneficial relationships with organizations outside of MSU and the North Dakota University System.

## 2) Definitions:

- a) Creator: A person who contributes in a significant manner to the development of IP.
- b) Intellectual Property (IP): Collectively, any form of property created by the mind, including, but not limited to, inventions, trade secrets, copyrights, trademarks, mask works, and any other tangible research results.
- c) Invention: A process, method, discovery, device, plant, composition of matter, know-how, or other discovery that reasonably appears to qualify for protection under United States patent law, whether or not actually patentable. This includes patent-eligible software that may also be copyrightable.
- d) Net Royalties: Gross revenues, including all royalties, licensing, and other fees generated as a direct result of IP, less the actual out-of-pocket expenses incurred in procuring and maintaining protections, marketing, licensing, and enforcing rights in such IP.
- e) Significant Use of Resources: A creator's use of MSU facilities, equipment and/or employees' time that appreciably increases the costs for MSU beyond those normally incurred. Significant use does not include the creator's own time (including developmental leave) or the normal use of facilities or equipment commonly available to faculty, staff, or the public, such as libraries, internet access, office space, office equipment, computers, and/or office supplies.

Course materials (including course notes, lecture PowerPoint presentations, recorded online courses, textbooks) developed in conjunction with class teaching are also excluded from the "significant use" category, with the exception of textbooks that were developed using MSU administered funds *paid specifically to support textbook development*.

## f) Works for Hire:

EMPLOYEES: A "work for hire," as defined by law, is a work product created in the course of the author's employment. Copyright of the work product in these situations belongs to the employer. For example, results of work assigned to *staff programmers*

or *writers of university publications* are considered to have been created in the course of the author's employment and are the property of MSU.

NON-EMPLOYEES: Under the Copyright Act, copyright of commissioned works of non-employees is owned by the author and not by the commissioning party unless there is a written agreement to the contrary.

### 3) General Patent Policy

- a) All rights in inventions and copyright ownership of materials, including software, made or created by MSU faculty, students, staff, and others participating in MSU programs, including visitors, are as follows:

MSU OWNED: Patents and copyrights including software developed by faculty, students, staff and others, including visitors participating in MSU programs or using MSU funds or facilities, are owned by MSU *when either of the following applies*:

1. The intellectual property was developed in the course of or pursuant to a *research sponsored agreement* with MSU; or
2. The intellectual property was developed *with significant use of funds or facilities* administered by MSU, as defined in Section 2e "Significant Use of Resources" (see page 2).
3. All copyrights, including copyrighted software, will be owned by MSU when it is created as a "work for hire" as defined by copyright law, see Section 2f "Works for Hire" (page 2) or created pursuant to a written agreement with MSU providing for transfer of copyright or ownership to MSU.

CREATOR/AUTHOR OWNED: Creators/Authors will own patents/copyrights/materials when none of the situations defined above for MSU-Ownership of intellectual property applies.

Any and all exceptions to this policy, except as otherwise provided herein, shall be determined and approved by the Vice President for Academic Affairs (VPAA) and the Vice President for Administration and Finance (VPAF).

#### b) Patents: Protection

Although patent protection is sometimes sought for various noncommercial reasons, such as professional status, MSU will not seek protection for inventions which are not commercially attractive—even if the invention is intellectually meritorious—unless otherwise requested by the sponsor of the research.

It is important to understand at the outset that any publication (*or even verbal public disclosure*) which describes an invention prior to filing for a patent may preclude patenting in foreign countries altogether and may also preclude protection in the United States unless a patent is filed within one year from publication.

#### c) Patent Procedures:

- i) The Creator provides timely disclosure of IP by submitting an MSU Intellectual Property Disclosure Form to the Vice President of Academic Affairs (VPAA).
- ii) Once an MSU Intellectual Property Disclosure Form is submitted, the VPAA will begin the process of evaluating the invention for patentability, commercial potential and obligations to sponsors. *The first step will typically be a meeting with the creator.*
- iii) The VPAA will promptly notify creator if MSU is not interested in filing a patent application or otherwise retain title to the creation after disclosure is made to MSU. In this case, MSU shall, upon request, release its rights in such IP to the creator by completing an Assignment of Invention Title form.

- iv) If MSU is interested in filing a patent application, the creator will collaborate with the MSU's legal counsel to prepare the patent application.
- d) 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. MSU will honor any agreement purporting to share rights and/or royalties between participating parties to the fullest extent permitted under applicable law. In cases of joint development where creators are employed at two or more institutions, MSU will enter into an inter-institutional agreement with the other institution(s).
- e) If at any time MSU decides not to pursue, or otherwise to discontinue its protection and commercialization of any IP, MSU shall notify the creator. In the absence of overriding obligations, MSU 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 MSU or the NDUS system in connection with subsequent development, use, or marketing of the IP.
- f) The creator may request IP rights be released, even in the absence of a prior decision by MSU to discontinue protection. MSU shall have the discretion to grant such a request, provided that the creator reimburse MSU for its actual, out-of-pocket costs incurred in pursuing formal protection of the IP.
- g) Subject to any overriding obligations, creators, or the creators' heirs, successors, or assigns, shall be entitled to a minimum 40% of the net royalties received by MSU in connection with the creators' IP. Royalties provided for MSU are to be utilized principally in support of research.

Net Royalties	Creator(s)	MSU	Dept./Division
≤ \$250,000	50%	40%	10%
\$250,001 - \$500,000	45%	45%	10%
> \$500,000	40%	50%	10%

Specifically, the creator's interest is 50% for the first \$250,000 of net royalties, 45% for the next \$250,001-500,000, and 40% for more than \$500,000. For example: If in year 1, a creator's royalties were \$200,000, the creator would receive 50%. If in year 2 the creator's royalties increased by an additional \$1,000,000, then the creator would receive 50% for \$50,000 of the \$1,000,000, 45% for the next \$250,000, and 40% for the remaining \$700,000.

- h) IP resulting in work created by an MSU employee outside the scope of employment and without the use of institutional resources belong to the employee.
- 4) General Copyright Policy
- Copyright ownership policy is covered in the Section 3a "General Patent Policy". Specifically,
- a) MSU owns copyright in works prepared by its employees if:
    - i) the work was created in the course of a research sponsored agreement;
    - ii) if the work was created with significant use of funds or facilities administered by MSU (Section 2e);
    - iii) if the work was created at the specific direction of MSU ("Works for Hire", Section 2f)

An employee shall report such work in accordance with the General Patent Policy set forth in section 3.

Net royalties received by MSU as a results of copyright ownership will be disbursed in accordance with the General Patent Policy set forth in section 3.

- b) The employee owns copyright in works that are prepared within the scope of employment, when none of the situations defined above for MSU-Ownership applies. Specifically, the faculty own the copyright in course materials (including course notes, lecture PowerPoint presentations, recorded online courses, textbooks) developed in conjunction with class teaching, with the exception of textbooks that were developed using MSU administered funds paid specifically to support textbook development. MSU can use the said course materials for teaching purposes only with the written permission of the Creator/Author.
  - c) MSU may relinquish its copyright ownership that arises by operation of law and, if necessary, execute assignments conveying such copyright ownership to employees. As a condition of such relinquishment or assignment, MSU shall retain a perpetual, non-exclusive, worldwide, and royalty-free license to use the work for teaching, educational, archival, and research purposes. This subsection shall not apply to companion works that enable, or are incidental to, or necessary for the practice of, an invention owned by MSU under this policy.
    - i) In the event an employee has made a significant use of resources in the creation of a work governed by this subsection, MSU may require the employee to reimburse MSU for the value of such use.
    - ii) MSU employees shall not use any work governed by this subsection, including textbooks and other course materials, either printed or electronic, in any manner that competes in a substantial way with the for-credit offerings of MSU unless such use has received the approval of the VPAA and the VPAF.
- 5) Trademark Policy
- a) MSU shall maintain a portfolio of trademarks and service marks that are used in any manner to identify MSU in conjunction with goods and services, including goods or services offered in the course of MSU's business activities.
  - b) MSU shall be listed as the owner of any trademark or service mark for which an application for registration is filed. Trademarks and service marks shall be filed, prosecuted, registered, and maintained by MSU at MSU's expense.
  - c) Any transfer of ownership in a trademark or service mark to or from MSU must include all rights in the mark, including goodwill.
  - d) MSU may license to a third-party rights in one or more trademarks or service marks owned by the institution. Any such license must, at a minimum, reserve to MSU the express right to monitor and supervise the use by licensee of the mark(s).
  - e) Trademarks and service marks developed by faculty, students, and staff of MSU shall be treated in the same manner as other forms of intellectual property.
- 6) Student Intellectual Property
- a) MSU will not require an assignment of IP rights from a student unless at least one of the following applies:
    - i) The student received financial support from the institution, in the form of wages, salary, stipend, or grant funds, for the research and/or activities that lead to the development of the IP.

- ii) MSU is contractually obligated to require such assignment.
- iii) The IP was developed with significant use of resources and the retention of such rights by the student would substantially impair a mission of MSU.
- iv) The IP was a companion work that enabled or was incidental to or necessary for the practice of an invention owned by the institution under this policy.
- v) The student expressly agreed to make such assignment.
- vi) The IP comprises marks and/or logos used or intended to be used solely or primarily by MSU in conjunction with MSU's offering of goods or services, including but not limited to MSU's Department of Athletics.
- b) MSU will 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.
  - ii) The IP arose from a multi-semester classroom project administered by an MSU employee, such as a senior design project, and the license is necessary for MSU to continue administering the project.
  - iii) In the absence of such license, a mission of MSU would be substantially impaired.
  - iv) The student has expressly agreed to grant such license.
- c) In the event an assignment by this section is made, the student making such assignment shall be treated as a creator and shall be entitled to all right and benefits of creators under this policy.
- d) Licenses required by this section shall be non-exclusive, non-commercial, perpetual, and royalty-free, unless otherwise agreed to by MSU.
- e) Nothing in this section shall be construed to prevent a student from voluntarily entering into a relationship with MSU concerning IP.
- f) When a student works on a faculty's research project, then the student does not become a Creator and does not acquire IP rights, unless there is a written agreement to the contrary.
- g) When a student works on a faculty's research project, then the faculty may request that the student sign the MSU Confidentiality and Non-Disclosure Agreement for Student Participation in Faculty Research.
- 7) Other provisions
  - a) MSU may assign or transfer ownership rights in IP to a foundation defined in SBHE policy. Such assignment or transfer shall be in writing and signed by the MSU President or designee.
  - b) It is the responsibility of MSU 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 MSU policy.

## Responsible Conduct in Research

In Compliance with the Federal Policy on Research Misconduct 65 FR 76260.

### General Policy

Minot State University (MSU) is committed to the highest standard of ethical, scientific, and scholarly practice in research. Research is defined as all research, scholarship, and creative activity that support the intellectual endeavors of the University. Although incidents of misconduct in research may be rare, those that do occur threaten the entire research enterprise.

### Scope

The following statement of policy and procedures is intended to carry out MSU's responsibilities in compliance with 65 FR 76260, Federal Policy on Research Misconduct. This document applies to allegations of research misconduct (fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results) involving: A person who, at the time of the alleged research misconduct, was employed by, or was an agent of, or was affiliated by contract or agreement with MSU, and biomedical or behavioral research, research training or activities related to that research or research training, such as the operation of tissue and data banks and the dissemination of research information, (2) applications or proposals for grant or contract supported biomedical or behavioral research, research training or activities related to that research or research training, or (3) plagiarism of research records produced in the course of research, research training, or activities related to that research or research training. This includes any research proposed, performed, reviewed, or reported, or any research record generated from that research, regardless of whether an application or proposal for funds result in a grant, contract, cooperative agreement or other form of contracted support.

This policy applies to all full-time and part-time employees of the university, to post-baccalaureate graduate students who are engaged in funded or non-coursework-related research, to undergraduate students who are involved in funded research, and to any other person engaged in teaching, research, or scholarship at, and under the control of, or affiliated with, Minot State University.

This statement of policy and procedures does not apply to authorship or collaboration disputes and applies only to allegations of research misconduct that occurred within six years of the date the institution or the funding agency received the allegation, subject to the subsequent use, health or safety of the public, and grandfather exceptions in specific agency policies.

## Definitions

Research Misconduct includes fabrication, falsification, or plagiarism in proposing, performing, or reviewing research or in reporting research results. Fabrication is making up data or results and recording or reporting them. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Research misconduct does not include honest error or differences of opinion.

Deciding Official (DO) is the institutional official who makes the final determinations on allegations of research misconduct and any institutional administrative actions. The DO will not be the same individual as the Research Integrity Officer (RIO) and should have no direct prior involvement in the institution's inquiry, investigation, or allegation assessment. A DO's appointment of an individual to assess allegations of research misconduct, or to serve on an inquiry board or investigation committee, is not considered to be direct prior involvement. MSU's DO is the Vice President for Academic Affairs.

Research Integrity Officer (RIO) is the institutional official responsible (1) for assessing allegations of research misconduct to determine if they fall within the definition of research misconduct, as defined by 42 CFR 93, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified; (2) overseeing inquiries and investigations; and (3) the other responsibilities described in this policy. MSU's RIO is the chair of the Institutional Review Board.

Complainant is the individual bringing an allegation of research misconduct forward.

Respondent is the individual who is the subject of an allegation of research misconduct.

## General Policies and Principals

### Responsibility to Report Misconduct

All institutional members will report observed, suspected, or apparent research misconduct to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may meet with or contact the RIO to discuss the suspected research misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO will refer the individual or allegation to other offices or officials with responsibility for resolving the problem.

At any time, an institutional member may have confidential discussions and consultations about concerns of possible misconduct with the RIO and will be counseled about appropriate procedures for reporting allegations.

### Cooperation with Research Misconduct Proceedings

Institutional members will cooperate with the RIO and other institutional officials in the review of allegations and the conduct of inquiries and investigations. Institutional members, including respondents, have an obligation to provide evidence relevant to research misconduct allegations to the RIO or other institutional officials.

### Confidentiality

The RIO shall (1) limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and (2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The RIO should use written confidentiality agreements or other mechanisms to ensure that the recipient does not make any further disclosure of identifying information.

MSU shall provide confidentiality for witnesses when the circumstances show that the witnesses require protection for their security or safety.

### Protecting complainants, witnesses, and committee members

Institutional members may not retaliate in any way against complainants, witnesses, or committee members. Institutional members should immediately report any alleged or apparent retaliation against complainants, witnesses or committee members to the RIO, who shall review the matter and, as necessary, make all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.

### Protecting the Respondent

As requested, and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct, but against whom no finding of research misconduct is made.

During the research misconduct proceeding, the RIO is responsible for ensuring that respondents receive all the notices and opportunities provided per funding agency policy and the policies and procedures of the institution. Respondents may consult with legal counsel of respondent's own choosing or a non-lawyer personal adviser (who is not a principal or witness in the case) of respondent's own choosing, and the attorney or personal adviser is required or has the option to attend.



Interim Administrative Actions and Notifying Specific Funding Agency Officers of Special Circumstances Throughout the research misconduct proceeding, the RIO will review the situation to determine if there is any threat of harm to public health, federal or state funds and equipment, or the integrity of the agency supported research process. In the event of such a threat, the RIO will, in consultation with other institutional officials and funding agency officer, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the research process and the handling of federal funds and equipment, reassignment of personnel or of the responsibility for the handling of federal funds and equipment, additional review of research data and results or delaying publication. The RIO shall, at any time during a research misconduct proceeding, notify the funding agency officer immediately if he/she has reason to believe that any of the following conditions exist:

- Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
- HHS resources or interests are threatened;
- Research activities should be suspended;
- There is a reasonable indication of possible violations of civil or criminal law;
- Federal action is required to protect the interests of those involved in the research misconduct proceeding;
- The research misconduct proceeding may be made public prematurely and funding agency action may be necessary to safeguard evidence and protect the rights of those involved; or
- The research community or public should be informed.

## Conducting the Assessment and Inquiry

### Assessment of Allegations

Upon receiving an allegation of research misconduct, the RIO will immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of research misconduct may be identified, whether it is within the jurisdictional criteria of the Federal policy and whether the allegation falls within the Federal policy definition of research misconduct. An inquiry must be conducted if these criteria are adequately met.

The assessment period should be brief, preferably concluded within a week. In conducting the assessment, the RIO need not interview the complainant, respondent, or other witnesses, or gather data beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified. The RIO shall, on or before the date, on which the respondent is notified of the allegation, obtain custody of, inventory, and sequester all research records and evidence needed to conduct the research misconduct proceeding, as provided in paragraph C of this section.

### Initiation and Purpose of the Inquiry

If the RIO determines that the criteria for an inquiry are adequately met, he or she will immediately initiate the inquiry process. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether there is probable cause to conduct an investigation. An inquiry does not require a full review of all the evidence related to the allegation.

### Notice to Respondent; Sequestration of Research Records

At the time of or before beginning an inquiry, the RIO must make a good faith effort to notify the

respondent in writing, if the respondent is known. If the inquiry subsequently identifies additional respondents, they must be notified in writing. On or before the date on which the respondent is notified, or the inquiry begins, whichever is earlier, the RIO must take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The RIO may consult with the funding agency officer for advice and assistance in this regard.

#### **Inquiry Committee**

The Faculty Senate Faculty Rights committee and committee chair will serve as the Inquiry Committee, in consultation with the RIO. The Inquiry Committee members must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the inquiry and must include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry. The RIO, in consultation with appropriate institutional officials, may request the Faculty Senate President to appoint additional members to the committee whose expertise is appropriate for evaluating the evidence and issues related to the allegation. The Faculty Senate President will make such appointments with the number and qualifications of these appointees determined by the Faculty Senate President in consultation with the Vice President for Academic Affairs.

#### **Charge to the Committee and First Meeting**

The RIO will prepare a charge for the Inquiry Committee that:

1. Sets forth the time for completion of the inquiry;
2. Describes the allegations and any related issues identified during the allegation assessment;
3. States that the purpose of the inquiry is to conduct an initial review of the evidence, including the testimony of the respondent, complainant and key witnesses, to determine whether an investigation is warranted, not to determine whether research misconduct definitely occurred or who was responsible;
4. States that an investigation is warranted if the committee determines:
  - (1) there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct and is within the jurisdictional criteria of Federal policy; and,
  - (2) the allegation does have substance, to a degree of probable cause, based on the committee's review during the inquiry.
5. Informs the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that meets the requirements of this policy and the Federal policy.

At the committee's first meeting, the RIO will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The RIO will be present or available throughout the inquiry to advise the committee as needed.

## **Inquiry Process**

The inquiry committee will normally interview the complainant, the respondent and key witnesses as well as examining relevant research records and materials. Then the inquiry committee will evaluate the evidence, including the testimony obtained during the inquiry. After consultation with the RIO, the committee members will decide whether an investigation is warranted based on the criteria in this policy and the Federal policy. The scope of the inquiry is not required to and does not normally include deciding whether misconduct definitely occurred, determining definitely who committed the research misconduct or conducting exhaustive interviews and analyses; it is based upon a conclusion of “probable cause,” meaning that it appears that more likely than not, research misconduct has occurred and a subsequent investigation is warranted; however, if a legally sufficient admission of research misconduct is made by the respondent, misconduct may be determined at the inquiry stage if all relevant issues are resolved. In that case, the institution shall promptly consult with funding agency officer to determine the next steps that should be taken. See the section on Conducting the Investigation.

## **Time for Completion**

The inquiry, including preparation of the final inquiry report and the decision of the DO on whether an investigation is warranted, must be completed within 60 calendar days of initiation of the inquiry, unless the RIO determines that circumstances clearly warrant a longer period. If the RIO approves an extension, the inquiry record must include documentation of the reasons for exceeding the 60-day period. The respondent will be notified of the extension if one is given.

## **The Inquiry Report**

### **Elements of the Inquiry Report**

A written inquiry report must be prepared that includes the following information: (1) the name and position of the respondent; (2) a description of the allegations of research misconduct; (3) the funding agency support, including, for example, grant numbers, grant applications, contracts and publications listing such support; (4) the basis for recommending or not recommending that the allegations warrant an investigation; (5) any comments on the draft report by the respondent or complainant. The report shall also include the names and title of the committee members and experts who conducted the inquiry.

-The SBHE legal counsel should review the report for legal sufficiency. Modifications should be made by the RIO in consultation with the inquiry committee.

## **Notification to the Respondent and Opportunity to Comment**

Prior to finalizing the inquiry report, the RIO shall provide to the respondent and the complainant a copy of the draft inquiry report and include a copy of or refer to the funding agency policy and MSU’s policies and procedures on research misconduct. The respondent and complainant have 10 days from receipt of the draft inquiry report and policies in which to submit written comments to the RIO on the content of the report.

Any comments that are submitted by the respondent or complainant will be reviewed by the RIO and the inquiry committee. The inquiry committee may revise the draft report to incorporate comments made by the respondent or complainant as appropriate. The inquiry committee will then prepare the report in final form. The committee will deliver the final report to the RIO.

## **Institutional Decision and Notification**

#### Decision by Deciding Official

The RIO will transmit the final inquiry report and any comments to the DO, who will determine in writing whether an investigation is warranted. The inquiry is completed when the DO makes this determination. The decision of the DO is final.

#### Notification to Funding Agency

Within 30 calendar days of the DO's decision that an investigation is warranted, the RIO will provide the funding agency with the DO's written decision and a copy of the inquiry report. The RIO will also notify those institutional officials who need to know of the DO's decision. The RIO must provide the following information to funding agency upon request: (1) the institutional policies and procedures under which the inquiry was conducted; (2) the research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and (3) the charges to be considered in the investigation.

#### Documentation of Decision Not to Investigate

If the DO decides that an investigation is not warranted, the RIO shall secure and maintain for 7 years after the termination of the inquiry sufficiently detailed documentation of the inquiry to permit a later assessment by the funding agency of the reasons why an investigation was not conducted. These documents must be provided to authorized funding agency personnel upon request.

#### Conducting the Investigation

##### Initiation and Purpose

The investigation must begin within 30 calendar days after the determination by the DO that an investigation is warranted. The purpose of the investigation is to develop a factual record investigating the allegations in detail and examining the evidence in depth, leading to recommended findings, based upon a preponderance of the evidence, on whether research misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible research misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged research misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. Under the Federal policy, the findings of the investigation must be set forth in an investigation report.

#### Notifying Funding Agencies and Respondent; Sequestration of Research Records

On or before the date on which the investigation begins, the RIO must: (1) notify the funding agency officer of the decision to begin the investigation and provide the funding agency a copy of the inquiry report; and (2) notify the respondent in writing of the allegations to be investigated. The RIO must also give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.

The RIO will, prior to notifying respondent of the allegations, take all reasonable and practical steps to obtain custody of and sequester in a secure manner all research records and evidence needed to conduct the research misconduct proceeding that were not previously sequestered during the inquiry. The need for additional sequestration of records for the investigation may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for

sequestration during the investigation are the same procedures that apply during the inquiry.

### Appointment of the Investigation Committee

The RIO, in consultation with other institutional officials as appropriate, will appoint an Investigation Committee and the committee chair as soon after the beginning of the investigation as is practical. The investigation committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the investigation and must include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the respondent and complainant and conduct the investigation. Individuals appointed to the investigation committee may also have served on the inquiry committee.

### Charge to the Committee and the First Meeting

#### Charge to the Committee

The RIO will define the subject matter of the investigation in a written charge to the committee that:

- Describes the allegations and related issues identified during the inquiry;
- Identifies the respondent;
- Informs the committee that it must conduct the investigation as prescribed in paragraph E. of this section;
- Defines research misconduct;
- Informs the committee that it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, the type and extent of it and who was responsible;
- Informs the committee that in order to determine that the respondent committed research misconduct it must find that a preponderance of the evidence establishes that: (1) research misconduct, as defined in this policy, occurred (respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion); (2) the research misconduct is a significant departure from accepted practices of the relevant research community; and (3) the respondent committed the research misconduct intentionally, knowingly, or recklessly; and
- Informs the committee that it must prepare or direct the preparation of a written investigation report that meets the requirements of this policy and Federal policy.

#### First Meeting

The RIO will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of this statement of policy and procedures and Federal policy. The RIO will be present or available throughout the investigation to advise the committee as needed.

#### Investigation Process

The investigation committee and the RIO must:

- Use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of each allegation;

- Take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;
- Interview each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of the investigation; and
- Pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion.

#### Time for Completion

The investigation is to be completed within 120 days of beginning it, including conducting the investigation, preparing the report of findings, providing the draft report for comment, finalizing the report, and sending the final report to the funding agency, with the statement and description required in the section entitled: Institutional Decision and Notification. However, if the RIO determines that the investigation will not be completed within this 120-day period, he/she will submit to the funding agency a written request for an extension, setting forth the reasons for the delay. The RIO will ensure that periodic progress reports are filed with funding agency, if the funding agency grants the request for an extension and directs the filing of such reports.

## The Investigation Report

#### Elements of the Investigation Report

The investigation committee and the RIO are responsible for preparing a written draft report of the investigation that:

- Describes the nature of the allegation of research misconduct, including identification of the respondent;
- Describes and documents the funding agency support, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing funding agency support;
- Describes the specific allegations of research misconduct considered in the investigation;
- Includes the institutional policies and procedures under which the investigation was conducted, unless those policies and procedures were provided to the funding agency previously;
- Identifies and summarizes the research records and evidence reviewed and identifies any evidence taken into custody but not reviewed; and
- Includes a statement of findings for each allegation of research misconduct identified during the investigation. Each statement of findings must: (1) identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (2) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish by a preponderance of the evidence that he or she did not engage in research misconduct because of honest error
- or a difference of opinion; (3) identify the specific funding agency support; (4) identify whether any publications need correction or retraction; (5) identify the person(s)

responsible for the misconduct; and (6) list any current support or known applications or proposals for support that the respondent has pending with other agencies.

## Comments on the Draft Report and Access to Evidence

### Respondent

The RIO must give the respondent a copy of the draft investigation report for comment and, concurrently, a copy of, or supervised access to the evidence on which the report is based. The respondent will be allowed 30 days from the date he/she received the draft report to submit comments to the RIO. The respondent's comments must be included and considered in the final report.

### Confidentiality

In distributing the draft report, or portions thereof, to the respondent, the RIO will inform the recipient of the confidentiality under which the draft report is made available and may establish reasonable conditions to ensure such confidentiality. For example, the RIO may require that the recipient sign a confidentiality agreement.

### Decision by Deciding Official

The RIO will assist the investigation committee in finalizing the draft investigation report, including ensuring that the respondent's comments are included and considered, and transmit the final investigation report to the DO, who will determine in writing: (1) whether the institution accepts the investigation report, its findings, and the recommended institutional actions; and (2) the appropriate institutional actions in response to the accepted findings of research misconduct. If this determination varies from the findings of the investigation committee, the DO will, as part of his/her written determination, explain in detail the basis for rendering a decision different from the findings of the investigation committee. Alternatively, the DO may return the report to the investigation committee with a request for further fact-finding or analysis.

When a final decision on the case has been reached, the RIO will normally notify both the respondent and the complainant in writing. After informing the funding agency, the DO will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case.

The RIO is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

The decision of the DO is final.

### Notice to the Funding Agency of Institutional Findings and Actions

Unless an extension has been granted, the RIO must, within the 120-day period for completing the investigation submit the following to the funding agency: (1) a copy of the final investigation report with all attachments; (2) a statement of whether the institution accepts the findings of the investigation report; (3) a statement of whether the institution found misconduct and, if so, who committed the misconduct; and (4) a description of any pending or completed administrative actions against the respondent.

### Maintaining Records for Review by the Funding Agency

The RIO must maintain and provide to the funding agency upon request "records of research

misconduct proceedings” as that term is defined by Federal policy. Unless custody has been transferred to the funding agency or the funding agency has advised in writing that the records no longer need to be retained, records of research misconduct proceedings must be maintained in a secure manner for 7 years after completion of the proceeding or the completion of any funding agency proceeding involving the research misconduct allegation. The RIO is also responsible for providing any information, documentation, research records, evidence or clarification requested by the funding agency to carry out its review of an allegation of research misconduct or of the institution’s handling of such an allegation.

#### Completion of Cases; Reporting Premature Closures to Funding Agency

Generally, all inquiries and investigations will be carried through to completion and all significant issues will be pursued diligently. The RIO must notify the funding agency in advance if there are plans to close a case at the inquiry or investigation stage on the basis that respondent has admitted to the misconduct as charged, a settlement with the respondent has been reached, or for any other reason, except: (1) closing of a case at the inquiry stage on the basis that an investigation is not warranted; or (2) a finding of no misconduct or that there is insufficient evidence to proceed at the investigation stage, which must be reported to the funding agency, as prescribed in this policy and the Federal policy.

#### Institutional Administrative Actions [Optional]

If the DO determines that research misconduct is substantiated by the findings, he or she will decide on the appropriate internal administrative actions to be taken.

#### Other Considerations

##### Termination or Resignation Prior to Completing Inquiry or Investigation

The termination of the respondent’s institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or otherwise limit any of the institution’s responsibilities under the Federal policy.

If the respondent, without admitting to the misconduct, elects to resign his or her position after the institution receives an allegation of research misconduct, the assessment of the allegation will proceed, as well as the inquiry and investigation, as appropriate based on the outcome of the preceding steps. If the respondent refuses to participate in the process after resignation, the RIO and any inquiry or investigation committee will use their best efforts to reach a conclusion concerning the allegations, noting in the report the respondent’s failure to cooperate and its effect on the evidence.

##### Restoration of the Respondent’s Reputation

Following a final finding of either no research misconduct or insufficient evidence to support a finding of research misconduct, including funding agency concurrence where required by the federal agency, the RIO must, at the request of the respondent, undertake all reasonable and practical efforts to restore the respondent’s reputation. Depending on the particular circumstances and the views of the respondent, the RIO should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in any forum in which the allegation of research misconduct was previously publicized, and removing all reference to the research misconduct allegation contained in the materials in the respondent’s personnel file. Any institutional actions to restore the respondent’s reputation should first be approved by the DO.



#### Protection of the Complainant, Witnesses and Committee Members

During the research misconduct proceeding and upon its completion, regardless of whether the institution or the funding agency determines that research misconduct occurred, the RIO must undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of research misconduct in good faith and of any witnesses and committee members who cooperate in good faith with the research misconduct proceeding. The DO will determine, after consulting with the RIO, and with the complainant, witnesses, or committee members, respectively, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO is responsible for implementing any steps the DO approves.

#### Allegations Not Made in Good Faith

If relevant, the DO will determine whether the complainant's allegations of research misconduct were made in good faith, or whether a witness or committee member acted in good faith. If the DO determines that there was an absence of good faith, he/she will determine whether any administrative action should be taken against the person who failed to act in good faith.

MSU's Research Misconduct policy and procedures align specifically with the following Federal funding agency requirements:

- Department of Health and Human Services 42 CFR 93, PHS Policies on Research Misconduct
- National Science Foundation, 45 CFR, 689, Research Misconduct
- Department of Energy, 10 CFR 600 and 733; 48 CFR 935, 952, and 970 Policy on Research Misconduct
- Department of Education, FR Doc 05-21874, Research Misconduct