

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1437

Introduced by

Representatives Motschenbacher, Hauck, J. Johnson, Klemin, Lefor, Meier, Rohr, Dockter
Senators Larson, Rummel, Dwyer

1 A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota
2 Century Code, relating to ~~the prohibition of~~ academic tenure policy at ~~two-year~~
3 ~~colleges~~ institutions of higher education.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Academic tenure ~~prohibited at two-year colleges~~- Policy - Evaluations.**

8 ~~— A faculty member is not eligible for academic tenure, if the faculty member is hired after~~

9 1. By July 1, 2026, and employed at a two-year college in the state. For purposes of this

10 section, a two-year college is any of the following: Bismarck state college, Dakota

11 college at Bottineau, Lake Region state college, North Dakota state college of science,

12 and Williston state college institutions of higher education under the control of the state

13 board of higher education offering faculty academic tenure shall develop and adopt a

14 policy for tenured and tenure-track faculty employed by the institution, which:

15 a. Defines progression and advancement criteria at each stage of tenure

16 progression, including post-tenure review.

17 b. Establishes a procedure for annual evaluation of all nontenure, tenure-track, and

18 tenured faculty by the president of the institution or the designee of the president.

19 c. Establishes a procedure for post-tenure evaluations, which must be informed by

20 the annual evaluations under subdivision b and conducted by a committee

1 appointed by the president of the institution or the designee of the president. The
2 first evaluation must occur within three years. Subsequent evaluations must
3 occur every five years or more frequently. The committee must include the faculty
4 member administrative supervisor of the faculty member under evaluation or
5 review, at least one ranking administrator, and no more than one other faculty
6 member.

7 d. Defines the outcome of an unsatisfactory review of post-tenured faculty, which
8 may be removal from the position. The decision to remove faculty from a position
9 must be made by the employing institution and the state board of higher
10 education.

11 e. Is approved by the state board of higher education.

12 2. Advertisement of open faculty positions by institutions of higher education under the
13 control of the state board of higher education offering faculty academic tenure must
14 designate the position as nontenure-track or tenure-track. Upon offering a tenure-track
15 position to a candidate, the institution shall provide the candidate the policy required
16 under this section.