

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED 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 academic tenure policy at institutions of higher education.

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

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

6 **Academic tenure - Policy - Evaluations.**

7 1. By July 1, 2026, institutions of higher education under the control of the state board of  
8 higher education offering faculty academic tenure shall develop and adopt a policy for  
9 tenured and tenure-track faculty employed by the institution, which:

10 a. Defines progression and advancement criteria at each stage of tenure  
11 progression, including criteria for continued post-tenure review.

12 b. Establishes a procedure for annual evaluation of all nontenure, tenure-track, and  
13 tenured faculty by the president of the institution or the designee of the president.

14 c. Establishes a procedure for post-tenure evaluations, which must be informed by  
15 the annual evaluations under subdivision b and conducted by a committee  
16 appointed by the president of the institution or the designee of the president. The  
17 first post-tenure evaluation must occur be completed within three years.

18 Subsequent post-tenure evaluations must occur be completed at least every five  
19 years or more frequently. The

- 1 d. Provides the composition of a culminating post-tenure evaluation committee must  
2 include the ~~faculty member~~ administrative supervisor of the faculty member ~~under~~  
3 ~~evaluation or review~~ being evaluated, at least one ranking administrator, and  
4 tenured faculty comprising no less than one-third and no more than ~~one other~~  
5 ~~faculty member~~ one-half of the committee.
- 6 d.e. Defines the outcome of an unsatisfactory review of post-tenured faculty, which  
7 may be removal from the position. The decision to remove faculty from a position  
8 must be made by the employing institution and the state board of higher  
9 education.
- 10 e.f. Is approved by the state board of higher education.
- 11 2. Advertisement of open faculty positions by institutions of higher education under the  
12 control of the state board of higher education offering faculty academic tenure must  
13 designate the position as nontenure-track or tenure-track. Upon offering a tenure-track  
14 position to a candidate, the institution shall provide the candidate the policy required  
15 under this section.