

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1437

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

AN ACT to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to academic tenure policy at institutions of higher education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Academic tenure - Policy - Evaluations.

1. By July 1, 2026, institutions of higher education under the control of the state board of higher education offering faculty academic tenure shall develop and adopt a policy for tenured and tenure-track faculty employed by the institution, which:
 - a. Defines progression and advancement criteria at each stage of tenure progression, including criteria for continued post-tenure review.
 - b. Establishes a procedure for annual evaluation of all nontenure, tenure-track, and tenured faculty by the president of the institution or the designee of the president.
 - c. Establishes a procedure for post-tenure evaluations, which must be informed by the annual evaluations under subdivision b and conducted by a committee appointed by the president of the institution or the designee of the president. The first post-tenure evaluation must be completed within three years. Subsequent post-tenure evaluations must be completed at least every five years or more frequently.
 - d. Provides the composition of a culminating post-tenure evaluation committee must include the administrative supervisor of the faculty member being evaluated, at least one ranking administrator, and tenured faculty comprising no less than one-third and no more than one-half of the committee.
 - e. Defines the outcome of an unsatisfactory review of post-tenured faculty, which may be removal from the position. The decision to remove faculty from a position must be made by the employing institution and the state board of higher education.
 - f. Is approved by the state board of higher education.
2. Advertisement of open faculty positions by institutions of higher education under the control of the state board of higher education offering faculty academic tenure must designate the position as nontenure-track or tenure-track. Upon offering a tenure-track position to a candidate, the institution shall provide the candidate the policy required under this section.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1437.

House Vote: Yeas 83 Nays 7 Absent 4

Senate Vote: Yeas 28 Nays 19 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State