

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 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 evaluation must occur within three years. Subsequent evaluations must
18 occur every five years or more frequently. The committee must include the faculty
19 member administrative supervisor of the faculty member under evaluation or
20 review, at least one ranking administrator, and no more than one other faculty
21 member.

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

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

6 2. Advertisement of open faculty positions by institutions of higher education under the
7 control of the state board of higher education offering faculty academic tenure must
8 designate the position as nontenure-track or tenure-track. Upon offering a tenure-track
9 position to a candidate, the institution shall provide the candidate the policy required
10 under this section.